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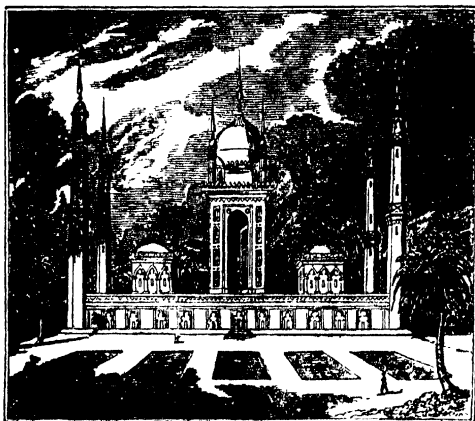
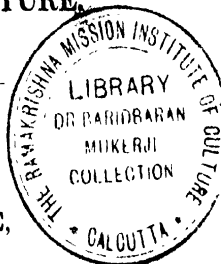
**GENERAL LITERATURE.**

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we now come to an important epoch in the history of . About middle, or rather, in the earlier part of the sixth century, "two Persian monks, inspired by religious zeal or curiosity, and travelled from Persia to the country of the Seres, and lived there long enough to become themselves acquainted with the whole process of the silk manufacture. On their return to the westward, instead of communicating their knowledge to their own countrymen, they proceeded to Constantinople, induced to do so, perhaps, by the sameness of their religion, and presented to the Emperor the secret hitherto so well preserved by them, that silk was produced by a species of worms, the eggs of which might be transported with safety, and propagated in his dominions. In the promise of a great reward, they were engaged to return to Serindib, whence they actually brought off a quantity of the silk-worms' eggs, concealed in a hollow cane, and conveyed them safely to Constantinople (anno 552). The precious eggs were hatched, in the proper season, by the warmth of a dunghill, and the worms produced from them were fed with the leaves of the mulberry-tree, spun their silk, and propagated their race under the protection of the monks, who also taught the Romans the whole mystery of the manufacture." (*Procop. Theophan. Byzan. &c.*)

From this careful of eggs, as if the little ark of this insect race, sprung the progenitors of all the silk-worms in Europe and the western parts of Asia. The infant manufacture was made a subject of state monopoly; and in the time of Procopius, the imperial treasurer, who compelled the worms to work exclusively for his master, sold the silks at the enormous price of six pieces of gold for the ounce, of those dyed with common colours, and twenty-four pieces for those tinged with purple, the imperial hue. This monopoly severely distressed the silk-manufacturers of Tyre and Berytus, and drove the inhabitants, who had depended upon them, to emigrate to the Persian dominions. About the middle of the ninth century, silk is reported to have been universally worn in China. A hundred years later, it is stated, that large quantities of silk were produced in the countries bordering on the Caspian, the most esteemed being those of Meru and Khorasan. In Greece, or the eastern empire, the manufacture continued to flourish unrivalled in any other part of Europe, till the middle of the twelfth century, when Roger, the Norman king of Sicily, invaded Greece with a fleet of seventy galleys, plundered Athens, Thebes, and Corinth of their wealth, and, among other things, carried off a great number of silk-weavers, whom he settled in Palermo, his capital city. These Grecian prisoners having, by the king's order, taught his Sicilian subjects to rear silk-worms, and weave all the varieties of silk stuffs then known, the manufacture appears in a very short time to have been completely established there; for about twenty years after, the fabrics of Sicily are spoken of as excelling in richness of colour and variety of pattern, some being intermixed with gold, and adorned with figures or pictures, others embellished with pearls.

The existence of a sufficient taste for silk finery in England, if not skill in its manufacture, about the middle of the thirteenth century, is

plausibly inferred from the display of magnificence at the marriage of the daughter of Henry III. to Alexander III. of Scotland, on which occasion a thousand English knights, attired in habits of silk, honoured the ceremony with their presence, and next day appeared in new robes of another fashion. A little before this time, the 'Annals of Waverley' mention, that in 1242, the streets of London were canopied with silk, for the reception of Richard, the king's brother, on his return from the Holy Land. But whatever progress luxury may have made in the west of Europe up to this period, and till the close of the century, the manufacture flourished chiefly in the Levant, in Persia, and other countries of the East. However, it gradually extended westward: between 1300 and 1327, when the Venetians and Genoese had become masters of the chief seats of the silk-trade in the Mediterranean, it is supposed to have been in consequence introduced into Italy. Modena was first celebrated above other cities of Lombardy, for the quality of its manufacture; and in 1327, to encourage the production, a law was made, that every proprietor of an enclosure in the city's territory, should plant, at least, three mulberry-trees. But the Bolognians enjoyed over them the advantage of possessing, exclusively, the proper machinery for twisting the silk, till the beginning of the sixteenth century, when that art extended to Modena, and thence to other parts of Italy. From the year 1300, the manufacture, according to some authorities, flourished chiefly at Florence; according to others, in Lucca only, (which thence acquired great wealth,) till the year 1314, when the pillage of that place dispersed the workmen, with their art, to other cities of Italy, particularly Venice, Florence, Milan, and Bononia; and some even to Germany, France, and Bretagne.

Hitherto, England had made no figure in this art, which appears, however, to have begun to be cultivated here early in the fifteenth century; for about the middle of this period it appears to have made considerable progress. In 1455, the silk-women of London complained to Parliament, that the Lombards, and other foreigners, were supplanting them in the market, by importing the manufactured goods, instead of unwrought silks, as formerly. It was, in consequence, enacted, that during the five ensuing years, no wrought silks should be imported; and here commenced that system of protection and prohibition, which, by fostering indolence and imperfection, has kept our silk-manufacture at the present day, as much behind that of the rest of Europe, as we excel them in other branches of industry. Again, in 1482, in consequence of similar complaints, that our manufacturers were thrown out of bread by foreign competition, an act was passed to prohibit the importation of certain kinds of silk goods for four years. About twenty years afterwards, (1504,) for the encouragement of the smaller silk-manufactures in England, the importation of ribands, laces, girdles, and corsages, composed wholly, or in part, of silk, was prohibited on pain of forfeiture; but all other kinds of silk, raw or wrought, were freely admitted. At this period, there seems to have been no broad manufacture of silk in England.

In France, where it has since grown to so much importance, the silk-manufacture appears to have been introduced about a century later than in this country. It was in the year 1521 that the French began the trade, having procured workmen from Milan while in possession of that duchy; and their manufactures made a very quick progress, principally at Lyons and other parts of the south of France, so as to be soon able to supply many parts of Europe with silk goods. Yet it was long after this time they acquired the method of producing the silk from the worm, which shows that the possession of this art is by no means essential to the success of the trade.

In 1554, so great had been the increase of luxury among the lower classes of the people of England, or of tyranny and ignorance in their rulers, that a law was passed of the following extraordinary tenor :

Whoever shall wear silk in or upon his hat, bonnet, girdle, scabbard, hose, shoes, or spur leather, shall be imprisoned for three months, and forfeit 10*l.*, excepting magistrates of corporations, and persons of higher rank. And if any person knowing his servant to offend against this law do not put him forth of his service within fourteen days, or shall retain him again, he shall forfeit 100*l.*

This absurd and despotic enactment was continued throughout the whole reign of the "Good Queen Bess," that most esteemed and enlightened patron of the Inquisition; but abolished in the first year of King James I., the commencement of the hated Stuart dynasty.

About the middle of the 16th century, (1554,) Mr. Anthony Jenkinson, agent for the Russia Company, a person of great activity and enterprise, opened a new channel of trade for this country through Russia and Persia. Having sailed down the Wolga, and across the Caspian, at the opulent and celebrated city of Bokhara he met with merchants from Persia, India, and Cathay (China); after which, he returned by the same route to England, in 1560. However, though he performed this voyage seven times, either from the state of the Eastern market being not sufficiently favourable, or the carriage too dangerous and expensive, the trade was in a few years completely dropped. Long after, in 1741, it was revived by an act of Parliament, enabling the Russia Company to trade into Persia; upon which considerable quantities of raw silk were for a time brought by the same road which had been formerly opened by Jenkinson.

In the beginning of the 17th century, following the example of Henry IV. of France, who had greatly extended the production of silk in his dominions, King James I. of England made great efforts to introduce the silk-worm in this country. All these attempts, then and afterwards, proved abortive in this less genial climate, but the manufacture of silk goods from the raw material was effectually promoted; that important branch of the trade, the broad silk fabrics, having begun about this time, (1621).

So important had the manufacture in London now become, that the silk-throwsters (formerly united in a fellowship in 1562) were, in 1629, formed into a corporation; and, in 1661, it is stated they had no less than forty thousand persons in their employment. The better



to secure the profit and emolument of those already engaged in the trade, it was enacted, that no one should set up in it without having served seven years apprenticeship, and becoming free of the corporation. We shall here introduce an extract, which shows, in the chronological order of events, how the manufactures of England began to be affected by our connexion with India :

About this time the English Levant, or Turkey Company, began to complain of the East India Company, on account of the great quantities of *raw* silk they imported from India, which had formerly been imported solely from Turkey. And in the year 1681 the Turkey Company made a formal complaint to the King's council, whereupon a hearing ensued. The substance of that Company's allegations on this head, and the East India Company's answers, being printed this year, are as follows, viz.

The calicoes and wrought silks being wrought in India, are an evident damage to the poor of England, and the raw silks are an infallible destruction to the Turkey trade ; for, as Turkey does not yield a sufficient quantity of other merchandise to return for one-fourth part of our manufactures carried thither, the remaining three-fourths are wholly paid for by raw silk. If that is supplanted by India silk, the most considerable part of the Turkey importations, and consequently the cloth-trade of England, must fail.

They have sent over to India throwsters, weavers, and dyers, and have actually set up there a manufacture of silk ; which, by instructing the Indians in these manufactures, and by importing them so made into England, is an unspeakable impoverishment of the working people of this kingdom.

The East India Company's answer, before the Privy Council, was to the following effect :—

It will be found, by the entries at the Custom-house, that the Turkey Company do send out yearly, besides their cloth, great quantities of pieces of eight from England for the purchase of raw silk in Turkey ; as well as great quantities of the like species of bullion from France, Spain, and Italy, which otherwise would come to England.

As for raw silk, it is so essential for the good of the kingdom, that it may well hold comparison with our sheep's wool and cotton wool.

Since our importation thereof, our silk manufactures have increased from one to four.

With respect to the quality of our Indian raw silk, it is the same as with all other commodities on earth, some good, some bad, and some indifferent.

Plain wrought silks from India are known to be the strongest and most durable, as well as the cheapest, that come from any part of the world, and are generally re-exported from England to foreign parts.

Wrought India silks, flowered and striped, do, we confess, a little impede the growth of our own silk manufactures, but not to that degree, in any measure, as the raw silk imported from India doth advance it.

If they could be effectually forbidden from all parts, the East India Company would be glad to further an Act of Parliament for that purpose, and also for the suppression of French silks, so much in wear in England, though against a law in being.

Wrought India silks, mixed with gold and silver, are not imported by us, but merely by our permission ; because, if we should not permit them, they would come in, as much as now, by stealth, and without paying the King's custom.

With respect to our sending to India throwsters, weavers, and dyers, the whole is a mistake, excepting only as to one or two dyers usually sent to Bengal, and to no other part of India, and this for the nation's as well as

the Company's advantage, especially as to plain black silks, generally exported again.

Surely no accusation ever advanced against the Company could be more unjust than this—that they had been guilty of plotting the improvement of their subjects; who, generally speaking, continue to this day as ignorant of all the useful arts of life, and as deeply sunk in superstition, as they were before we founded a factory, or unfurled our flag on their shores. But the Company being, by the nature of their own union, debarred the use of any arguments against other monopolists, were unable to resist long the clamours of the silk manufacturers. The revocation of the edict of Nantz (in 1685) by Louis XIV. (one of the worthy scions of that virtuous stock replanted by our bayonets on the throne of France,) having driven some hundred thousands of his subjects into foreign countries, about fifty, or, as some think, seventy thousand of them, took refuge in Great Britain. A great number of them, who had been engaged in the silk manufacture, established themselves in Spitalfields, and introduced here the weaving of alamoses, lustrings, brocades, satins, and various other stuffs before unknown. With a view to relieve their distress, and, probably, retaliate upon their persecutors, prohibitory measures were adopted by the British Government against the importation of French silks. In 1692, the refugees obtained a patent for the sole manufacture of alamoses and lustrings, the kinds which had been most in vogue, but, by the change of fashion, they soon ceased to be in demand. In 1697<sup>2</sup> the silk manufacturers advanced still farther their system of monopoly, by obtaining an Act prohibiting India and China wrought silks, in which they were aided apparently by the very general disgust which was entertained about this period against the East India Company's monopoly. The state of the silk-trade at this epoch stands as follows:—

<i>Raw and Thrown Silk Imported from</i>		<i>British Manufactured Silk Goods Exported to</i>	
Turkey .....	£210,476	Europe, Ireland, Gibraltar, &c. ....	£24,946
Italy .....	124,789	Asia .....	121
Holland .....	21,214	Africa .....	78
Asia .....	26,132	America, Foreign .....	8,425
Total .....	£382,611	——— British .....	16,924
		Total .....	£50,494

Such were the imports and exports of silk and silk goods in the year 1701; and it deserves to be remarked, with respect to the comparatively small quantity brought from Asia, that this consisted entirely of raw and thrown silk, nothing else being admitted from that quarter; although the made goods were imported in abundance from

<sup>2</sup> In this year, the silk weavers of Spitalfields, under an impression that the sale of calicoes and silk stuffs injured the sale of their manufactures, became outrageous, assaulted the East India House, and had nearly got possession of the Company's treasure, when they were dispersed by the civil power.—*Morreau's East India Company's Records.*

Turkey, Italy and Holland. For then, as now, England acted upon the miserable policy of treating the natives of India worse than other foreigners. The allowance of competition with the rest of the world, however, had the advantage of improving our manufacture, which went on increasing rapidly during the next twenty years, and the fabrics of Spitalfields were esteemed superior to those of France. But the system of exclusive privileges and monopoly was never lost sight of by those interested in the trade. In 1719, a patent was granted to Sir Thomas Lombe and his brother, for the sole and exclusive property, for fourteen years, of the celebrated silk-machine erected at Derby, for silk throwing, which produced 73,726 yards of organzine silk at one revolution of the great water-wheel, which turned round three times every minute, making 308,504,960 yards in the day. It was constructed after models they had clandestinely obtained in Italy, and, at the expiration of the patent, the proprietor received a public grant of 14,000*l.* as a reward for introducing a machine which it was supposed would supersede altogether the necessity of obtaining, as heretofore, the supplies of thrown silk from Italy. But, as remarked by a late contemporary publication,<sup>2</sup>—

Instead of being of any advantage, it is most certainly true that the establishment of throwing-mills in England has proved one of the most formidable obstacles to the extension of the English silk manufacture. These mills were originally constructed in consequence of the heavy duties laid on thrown or organzine silk, and the circumstance of their having been erected, and a high amount of capital invested in them, has been urged, and hitherto with success, as a reason for continuing these high duties!

Various other legislative efforts to encourage the silk-trade followed, for the most part injudicious and abortive. In 1720, an Act was passed for raising silk-worms, and planting mulberry trees, in Chelsea Park, on which scheme much money was expended. In 1722, "the silk manufacture having been brought to *great perfection in all its branches*, so as to equal the finest fabrications of any foreign country," was assigned as a reason for giving it legislative assistance; in the same manner as, a century later, its comparative imperfection in several branches is alleged as a ground for claiming Parliamentary protection! At the former period, a bounty of three shillings a pound, avoirdupois, was given on stuffs of silk only, and four shillings on silks mixed with gold. In 1730, we are told, by M. Moreau, that Keyslar, an author of credit and esteem, says, in his travels through a great part of Europe, that—

In Italy itself the silks of English manufacture were most esteemed, and bear a greater price than those of Italy; so that at Naples, when a tradesman would highly recommend his silk-stockings, &c., he protests they are right English.

In 1750, the duties on China raw silk were reduced to an equality with that on the importation from Italy; a measure which was of

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<sup>2</sup> Edinburgh Review, No. LXXXV, p. 78.

material advantage to the manufacture, as the China silks were peculiarly adapted for several purposes, particularly gauzes; and the East India Company were at the same time enabled to increase their importation of raw silk, at this time inconsiderable, as shown by the following statement of the imports of raw silk in 1750:—

	<i>lbs.</i>
From Turkey - - - - -	132,894
— Italy, Gibraltar, Spain, Flanders, &c.	55,585
— the East Indies - - - - -	43,876
Total - - - - -	<i>lbs.</i> 232,355

In 1765, prohibitions and penalties were laid on the importation of a variety of kinds of silk goods; and, next year, similar impositions of old standing were continued, and new ones added. Notwithstanding these bounties and protections, the journeymen silk-weavers were far from being satisfied with their lot; for, in 1769, they entered into illegal combinations to raise the rate of their wages, imposed taxes upon their fellow-workmen to support themselves in idleness, and committed many acts of violence and depredation upon the looms and property of their employers, till they were subdued, not without bloodshed, by the military force.

In 1779, it was found necessary to pass an Act to encourage the importation of Italian organzined (or spun) silk. In consequence of the great scarcity of that commodity, which is indispensably necessary for the warp in silk fabrics, permission was given to land it at any port and in any vessels whatever; an Act which was prolonged from time to time till March 1784. In this year, additional duties of two shillings and two shillings and nine pence per pound were laid upon raw and thrown silks imported; and corresponding bounties of two shillings and eight pence to four shillings per pound allowed on the exportation of silk goods. Notwithstanding all these unnatural stimulants administered from time to time, the manufacture had hitherto languished; and, about 1790, it was still further depressed by the change of public taste, which, revolting from the persevering attempts to force upon us silk goods above their natural value, gave now a preference to cotton fabrics. In consequence, we are told, that in Spital-fields only above 4000 looms were shut up in 1793, which, seven years before, had given employment to 10,000 persons.

Having, as briefly as possible, traced the history of the silk-trade down to this period, it is now time to give some account of the main part of the work before us, namely, the valuable and comprehensive tables which exhibit, in figures, the progress of the trade from 1786 to nearly the present time. The first table presents the quantities of raw silk of Bengal, of China and Persia, of Italy and Turkey, and of thrown silk imported into, and re-exported from, Great Britain, and the quantity remaining on hand for the use of the home manufacturers, with the amount of the duties, &c. in each year.

The subjoined summary shows the total results of the five years ending in each of the following periods:—

ment is resisted, occurs in the treatment recently experienced by M. Pouillé, an enterprising French manufacturer, who has attempted to introduce a more perfect system into this country. The British manufacturers, instead of improving by his example, fired with jealousy at his success, raised an accusation against him of carrying on the trade here merely as a cloak for smuggling; and when unable to prove the charge, they absurdly accused the British Government itself of conniving at the fraud.

To these bad effects of the prohibition of foreign silk goods, must be added, that under such a system smuggling was *unbounded*, by which the revenue was cheated, the fair trader injured, the public morals corrupted, and the public money, to an enormous amount, paid for contraband French silks, to a much greater extent, perhaps, than will now be paid on the lawful commodity. To do away with these mischiefs, in 1824, Mr. Huskisson had an Act passed to admit foreign silks after the 5th of July next, on paying an *ad valorem* duty of thirty per cent., which is considered a sufficient protection to the home-manufacturer.

It is objected, however, that, admitting he possesses, or may acquire, equal skill with the foreigner, he cannot compete successfully with him while he labours under the following serious disadvantages: First, the French only pay a duty of 9*d.* per pound<sup>b</sup> on Italian organzine, while it is still loaded in this country with a duty of nearly seven times the amount (5*s.*). Unfortunately this obstacle cannot be entirely removed, at least suddenly, without ruining the great body of silk-throwsters. Secondly, the high duties paid on dye-stuffs, ashes, soap, &c., fall heavily on the manufacture in this country. Something, however, has already been done; and we were happy to hear it stated in the House of Commons by Mr. C. Grant, that it is the intention of Ministers to do still more to remedy this evil. The duty on madder has already been reduced from 12*s.* per cwt. to 6*s.*; that on cochineal, from 2*s.* 6*d.* per pound, in some cases to 1*s.*, and in others to 4*d.* "The same observation," he said, "applied to all dye-drugs, which he believed were higher in France than here; and he had authority to state, that it was the intention of Government to look into these articles, with a view of making further reductions. The duty on soap was severe: he was authorized to say, that this article was also intended to be looked into, in order to meet that difficulty."

But the greatest difficulty of all, and one which Ministers will not easily get over, is the high price of provisions in this country, produced by the corn-monopoly. This is the radical evil which poisons the very root of our commercial prosperity. As the price of labour depends upon the price of bread, while the corn-laws continue, and the necessaries of life are two or three times dearer in England than in other countries, how can the British workman compete with the foreigner? The following remarks made by Mr. Baring in the

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<sup>b</sup> Edinburgh Review.

House of Commons, on the 24th of February last, ought to have sounded a knell to the consciences of that honourable assembly :

It was known that the seat of manufactures had several times been changed. It had gone from the Mediterranean to Holland ; and after having been there for a long time established, the manufacturers were driven out of Holland by the *tax upon bread*. They had thence formed a station in England ; and sure, if the same causes were allowed to prevail, the same results must ensue, and they must go to America, or some other country, where they could be carried on with comfort and prosperity. We were losing a little every now and then ; and if the progress of our loss was not quickly and satisfactorily arrested, we should be left in the most miserable of all conditions,—that of a nation from which the wealth it once possessed had departed.

The reproach of leading us towards this lamentable result does not fall on Ministers, who are far superior in principles and integrity to the aristocratical assemblies of grain-monopolists by whom this country is ruled and brought to the brink of ruin. Though the Ministers had pledged themselves in this year to revise the corn-laws, yet knowing the corrupt influence which sends Members to Parliament, they cannot venture to interfere with this vital interest on the eve of a general election. With any new Parliament, as now chosen, they will most probably fail to effect any adequate amendment, but they have done what was practicable for the silk-manufacturers in giving them a protecting duty of thirty per cent., double the amount considered sufficient by a Committee of the House of Lords. Accordingly, after that Act had been passed, nearly two years ago, the silk-trade went on flourishing and extending with unprecedented rapidity, till within the last few months. The present distress of the silk-trade is therefore not justly attributable to Ministers, or to their recent measures regarding it, but rather to the general circumstances of the country, and the late financial difficulties which have affected it in common with every branch of trade in the kingdom.

How these general causes of national depression arising from the enormous public debt and establishments of this country, are to be removed, is a question of too great magnitude to be entered upon here. But something must be done to enable us to enter into fair competition with other nations, or the ultimate ruin of our commercial greatness is inevitable. For the silk-trade, however, there is one peculiar mode of relief within our reach, which we would particularly press on public attention. It consists in the facility with which we may supply ourselves with raw silk from our Indian possessions at a rate much cheaper than it can be produced in other countries, so as to give us an advantage over France and Italy in the very point where they have so long enjoyed a superiority. We need not be surprised to find that our backwardness in this respect, for so long a period, is owing to the cramping influence of the East India Company's monopoly, by which the inexhaustible resources of the finest countries of Asia have been so long shut up and lost to the world. The competition between the new and old Companies about the beginning of the eighteenth century

gave a great stimulus to the importation of silk; but this salutary impulse to the stream of commerce was speedily lost in the junction soon after formed between these two bodies, which restored the stagnation of monopoly. Seventy-three years after, the importation of raw silk from Bengal was only 145,777 lbs. annually. In the course of the next twenty years it rose gradually to above one million; but on the imposition of the duty of three shillings per lb. in 1787, it fell off again to about 263,000; and from that period to 1811, after great fluctuation, it hardly gained the point where it stood thirty-five years previous; while the importation from China had in the same time decreased more than one half. From 1786, while the importation of Italian and Turkey raw silk more than doubled under heavier duties, that of Bengal only *increased* about one fourth; that of China was *diminished* to one-third of its former amount. Since 1810, the opening of the trade to private enterprise having given a fresh stimulus to Eastern commerce, the importation of Bengal raw silk rose in a few years to more than double; that of China to three times its former amount.

The Lords' report states, that the preparation of silk in Bengal was, for a long period, of the rudest kind, applicable here only to the inferior purposes, and in price bearing a proportion to that of Italian silk of about one-third to one half. Towards the year 1770, the Italian mode was introduced in Bengal, but the improvement was not for many years considerable, nor were the importations much or at least regularly increased till 1812. They have since not only been doubled, but with a corresponding improvement in the quality, some of which has been found fully equal to that produced in Italy; and the average difference of value between silks of comparative quality is stated to be not more than from five to ten per cent. The price of Italian silk is from thirteen shillings to twenty-six shillings per pound, exclusively of duty; that of Bengal, from twelve shillings to twenty-five shillings. But as only one crop of silk is obtained in Italy in the year, and two or three are produced in India, it is expected, "when the supply shall be better regulated, the Indian silk of equal quality will bear a still lower price than it now does, compared with the Italian." This improvement can only be expected from the effect of rivalry and competition; but, unfortunately, such salutary competition is precluded by the present system of governing India by a commercial monopoly. The Company's mode of conducting the trade with its commercial residents, armed with official authority and the weight of the public treasury, drives all private competition out of the field; since the private trader cannot contend successfully against agents of the Government, nor afford to make such large advances to the ryots, or Native husbandmen, employed to procure the raw material. But it is evident that if, with the Company's wasteful mode of conducting the trade, it can be carried on with advantage, the superior industry and economy of private enterprise would soon raise the manufacture to far greater perfection, and bring the silk into the British market on more moderate terms. Ministers, therefore, instead of merely *requesting* the Company, as they state having done to little purpose,

to extend its trade, should apply to them the only effectual stimulus—that of rivalry. To render this effectual, first, some district of Bengal, suitable to the cultivation of silk, should be permitted to the private adventurers, free from the competition of the Government agents in the same manufacture. Secondly, if it were found (as we have no doubt it would be) that the private trader could supply the British manufacturer at a rate considerably cheaper than the Company, its monopoly ought not to be allowed to stand any longer in the way of this great branch of national commerce, which affords bread to nearly half a million of British subjects. It is also the duty of the Board of Commissioners for the affairs of India to ascertain how far (from the mischievous union between trade and government) the silk manufacture of the Company is injurious to its territorial revenue, and to the improvement of its subjects. But whatever may be the effect of it in India, the ruinous consequences of such a monopoly on the trade of this country are very manifest. We here subjoin an abstract from M. Moreau's work, (which every British merchant and statesman ought to possess,) exhibiting the progress of trade in Bengal and China silks from 1786 to 1823; and the average increase or decrease of the amount imported and re-exported in successive periods of five years each:—

Years.	IMPORTS. Raw Silk of		RE-EXPORTS. Raw Silk of		DUTIES PAID on the Raw Silk of	
	Bengal.	China	Bengal.	China	Bengal.	China.
	<i>lbs.</i>	<i>lbs.</i>	<i>lbs.</i>	<i>lbs.</i>	£.	£.
1786 to 1790	1,615,494	1,153,572	266,289	111,893	249,897	208,257
1791 to 1795	2,508,332	732,097	170,791	29,398	348,805	102,276
1796 to 1800	2,021,439	333,673	240,570	20,045	271,385	75,946
1801 to 1805	2,339,568	418,182	130,807	20,477	371,464	101,663
1806 to 1810	2,018,358	336,718	79,596	11,572	576,567	85,874
1811 to 1815	1,117,529	705,990	441,801	65,056	816,498	208,688
1816 to 1820	5,176,640	1,302,910	106,337	12,111	876,051	280,497

From this it appears that the imports from Bengal and China, taken together, had little more than doubled since 1790; whereas, in the same period, the importation from Italy and Turkey rose from 875,418 lbs. to 3,841,579 lbs., or to nearly *five-fold* the former amount. Moreover, it appears that our exports of Bengal raw silk have fallen off more than one half; of China, more than ninety per cent.; a most conclusive proof that the Company, with its monopoly, and the aid of *three* crops in the year for one, with a boundless territory, of which it draws the rents as proprietor, and a population living at the rate of a penny or twopence a day, is totally unable to compete even with the Turks and Italians! If this system were done away, and the application of British skill and capital freely admitted to our Indian possessions, there is every reason to believe that silk might soon be poured into this country in such abundance, and on terms so moderate, as would enable us both to supply the rest of Europe with the raw material, and raise our silk manufacture to an eminence as unrivalled as any other branch of British trade has ever been. The natives of



India, who have been particularly distinguished in all ages for their superior success in the arts of spinning and weaving, might easily be taught to excel in a manufacture for which their soil and climate, and, according to some writers, the very texture of their minds as well as bodies, seem peculiarly to fit them. It would be making them some degree of just compensation for the loss of other branches of manufacture which have been ruined by the competition of British machinery; and it would afford some relief to the country, from which England extracts annually millions of tribute, to teach its naked and half-starved inhabitants how to produce commodities by which this perpetual drain on their wealth may be supplied.

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## SONG.

Heaven beat my heart when first I viewed thee;  
 With trembling hope I fondly wooed thee;  
 And when at length my vows subdued thee,  
     By Love's soft aid,  
 Ah! who can tell the burst of gladness,  
 That cheer'd away my bosom's sadness,  
 And bound me to thee, e'en to madness?  
     Thou dearest maid!

My ardent suit, so true, so pressing,  
 Was hallow'd by my father's blessing;  
 And she who gave thee birth confessing  
     Her wish like thine.  
 And relatives, who loved thee dearly,  
 Approving of thy choice sincerely,  
 I deemed thee mine—thou wast so nearly,  
     Sweet Catherine!

But transient was my bliss, and fleeting  
 As ocean waves o'er sand retreating,  
 Or glances of sweet Peris meeting  
     In ether clear.  
 Thy Guardians frown, and fain would sever  
 My heart from thine! Vain, vain endeavour!  
 For can I e'er forget thee? never—  
     Thou maiden dear!

'Tis true, harsh calumnies have wounded,  
 False pleasures tempted, wiles surrounded,  
 Him, who with rapture all unbounded,  
     Late blessed his lot;  
 But ne'er believe dishonour found him,  
 Or guilt a willing votary bound him,  
 Even while its shafts flew thick around him—  
     Believe it not!

CHINESE COURTSHIP.<sup>1</sup>

WHEN poets lay the scene of their fictions among their own countrymen, they are generally the best possible authorities on the subject of customs and manners. For in their descriptions, particulars which might appear misplaced in history, or any grave work, may be given with very good effect; because, while they communicate an air of truth to the narrative, as if the writer wished to be correct in the minutest trifle, they further serve to stamp upon it the character of an authentic picture of national habits and peculiarities. On this account we always regard Homer's poems in the light of history, so far as relates to manners, and believe that in them is to be found a faithful record of what men did and thought, both in public and in private, during the heroic ages of Greece. Other poets contrive also, by observation and art, to be considered the representatives, as it were, of other systems of manners, and thus secure immortality to their names; for whoever gives the best picture of any thing worth representing, may rely on the good sense of mankind for its preservation.

However, the poet who describes obsolete or foreign manners is sure to be inferior in popularity to him who gives us pictures of ourselves, for how great soever may be the curiosity of mankind, their self-love is still greater. They seek knowledge with much less ardour than pleasure; labour they abhor; to understand the allusions of an antient or foreign writer, to enter into his feelings, to enjoy his beauties, some labour is necessary; nothing more needs be said to account for the very limited circulation of antient or foreign books. Doubtless it is of much more importance that we should thoroughly understand, and properly value, the notions and modes now prevailing in London, than those which flourished formerly at Memphis or Babylon, or are at present in vogue at Ispahan or Peking. The former affect our interest, the latter do not. Nevertheless, the true cause of the slight attention we afford to authors, whether of prose or verse, whose works relate to manners and customs entirely different from our own, may, after all, be very honourable to human nature; for as they speak of things with which we have little or no acquaintance, the mind feels that it has no proper standard by which to estimate the correctness or incorrectness of their pictures, and therefore does not choose to preside as judge in an affair where the advocates plead in an unknown tongue.

The case is different where the passions are concerned. Time and place have no effect upon them. They are not subject to change. The Egyptian who now figures as a mummy in Mrs. Belzoni's exhibition in Leicester-square, three thousand years ago felt anger or pleasure, sorrow or love, on the banks of the Nile, precisely as we now do

<sup>1</sup> Chinese Courtship, in Verse. To which is added, an Appendix, treating of the Revenue of China, &c. By Peter Perring Thoms. 8vo. London; Macao, China. 1824.

on those of the Thames. He walked about bare-headed, and wore a loose robe; we wear hats and breeches—that's all the difference. Fontenelle says the French people of his day were extremely surprised to find that the Siamese ambassador and his suite, then at Paris, were possessed of common sense. Had they struck his Excellency on the face, and received a good round blow in return, they would have felt no astonishment. We never expect to find men without passions.

The Chinese Poem of which we are now about to speak, is a tale, in which the loves and misfortunes of three or four very interesting persons are related. We say of three or four, because the hero has two mistresses, and a slight hankering after one if not two of their maids, not amounting precisely to *love*, perhaps, but of a kindred nature. Being a kind of metrical novel, the work by no means disdains to enter into the most familiar details, relating, for example, how the ladies rouge, scold their maids, chat in their bed-rooms, or sip their tea. When the hero travels, we likewise hear of his "luggage"; when he visits, of his dinners and his potations; in short, except that there is no ribaldry or wit, 'Chinese Courtship' may be said to have some likeness to 'Don Juan.' It places us on very familiar terms with the Mandarins and their wives; and, by describing the offices and occupations, the friendships and social intercourse, of the persons whose story is related, conveys a clearer notion of what Chinese society really is, than all the descriptions we have ever seen of the Celestial Empire. In fact, the author seems to have considered the exact imitation of human life, its humble no less than its exalted parts, as the only proper aim of poetry; and he has scrupulously abided by his theory, for nothing in the world can be more un-exaggerated and natural than his pictures.

The story is plain and simple; but as it may serve to show what sort of invention chiefly prevails in the extremity of Asia, we shall as briefly as possible, give a sketch of it. Leang, a youthful student of the province of Soo-chew-foo, who, before his eighteenth year, has been enrolled among the literati, begins, about that period, to feel the solitude of his study grow irksome. He grudges to bestow the whole of life's spring upon his books; and, finding the current of his imagination strongly tinged with the hues of love, he meditates an emigration into the province of Chang-chow, "which," says he, "I have heard has long been famed for lovely women, who, with a soft pale countenance, strive to excel each other in rich attire."

Alas! what boots it with incessant care

To ———

—— strictly meditate the thankless muse?

Were it not better done, as others use,

To sport with Amanlis in the shade,

Or with the tangles of Nœra's hair? .

But let us be just to our student; he does not think solely of the ladies of Chang-chow, but states, as an additional motive, that it was likewise famous for its schools, in which he hopes to meet a studious

companion. His father being absent, he obtains his mother's permission to make the journey, and, setting out next morning, arrives, without meeting with any adventure, at the house of his aunt Heaou, in the city of Soo-chow. As it happens to be her birth-day, Leang is commissioned by his mother to be the bearer of several little presents suited to the occasion, and these on his arrival he delivers, and is received with very cordial welcome. As the anniversary of the natal day is a season of much festivity in China, Leang finds other branches of the family assembled, and among the rest his cousin Yaou-süen. The reader must not imagine, however, that he meets this young lady at the tea-table, or in the dining-room; they manage these things otherwise in China. He knows nothing of her being in the house until very late in the evening, when, tempted by the bright moonlight, and the scents of innumerable flowers, he quits his chamber, and strolls out into the garden. The passage in which Leang's apartment and the scene that drew him into the garden are described, is well worth copying, as it conveys a striking idea of Chinese domestic economy:—

Young Leang now saw that the book-stands were filled with books, row after row; and perceived that the flowers in every direction sent forth their fragrance. On the table lay the pearly dulcimer, with its silver strings, and in the brazen vase was lit a stick of famed incense. The silver *sang* and pearly flute hung against the wall, and in the corner was placed a double set of dice, with the chess-board. On each side of the room were suspended ancient drawings and elegant stanzas; and the newly-blown flowers were arranged in a line. As he approached the window he beheld a beautiful prospect, and also perceived a railed path that led to the white-lily pond. . . . . On entering the garden, about to cross the *red bridge* at the head of the pond, he perceived in the water a ripple agitating the reflection of the bright moon. On each side of its banks danced the drooping willow, while in the shade lay the boat for gathering the fruit of the water-lily.<sup>2</sup> The sportive fish caused the ripple on the water to sparkle, while the reflection of the clouds in the pond *appeared a vast void*.

During this stroll it is that Leang is smitten with love; for, having wandered about for some time among the flowers, he at length draws near a cool summer-house, and sees two ladies playing at chess by the light of a silver lamp. With the elder of these, a delicate and slender beauty with extremely small feet, he becomes deeply enamoured, and in spite of all decorum walks into the summer-house to feast his eyes upon her charms. Of course the ladies instantly retire. And now the spell begins to work; Leang, inflamed with passion, and bereft in great measure of reason, remains rapt in the summer-house; and one of Yaou-süen's maids coming, by order of her mistress, to remove the chess-board, he makes her the bearer of his love to the fair.

<sup>2</sup> In the provinces of Fo-kien and Canton, the water-lily is cultivated very generally; its root is a common article for the table, and the seeds are very much esteemed. At Canton, there are ponds, or laud inundated, for rearing them, several acres in extent; hence the poetical allusion of a boat for gathering the flowers. The white flowers, by the Chinese, are preferred to the red.

Oriental lovers are not so averse to the confessional as the amorous youth of both sexes in Europe generally are; so, the next morning, Leang discloses the state of his heart to his aunt, who, good woman! engages to exert all her influence in furtherance of his desires. For the present she advises him to steep his feelings in wine, a remedy to which the Chinese, both men and women, appear to be particularly partial. In a day or two, and before Leang is allowed any further opportunity of communicating his affections, the fair Yaou-sên returns to her father's house, leaving her lover in the greatest perplexity, His poetical studies,

Now all neglected, all forgot !

give place to the more interesting study of how to obtain an interview with the "light of his soul;" and he is not an ace less frantic than the renowned Knight of the Rueful Countenance, when intent on performing penance in the Brown Mountain. Totally engrossed by the pursuit of beauty, he no longer considers it a noble task to pluck the Olea Fragrans from the palace of the Moon! Impressed with these feelings, he can no longer remain at the dwelling of his aunt, but, following the steps of Yaou-sên, arrives, quickly after her return, at her father's door. Being there, however, he can discover no means of having a letter conveyed to the "silken apartments"; and, in default of more expeditious means of fulfilling his design, purchases the adjoining house, which very fortunately happens to be vacant. Entrenched within his new dwelling, he meditates at leisure the best methods of proceeding, and, after much deliberation, determines to regulate his conduct by that truly Chinese maxim, "slow and sure." He procures artists and artisans, fits up and furnishes his mansion magnificently, purchases a noble library, lays out his garden with infinite taste, &c.; and having by these means excited the curiosity of his neighbours, introduces himself to Yaou-sên's father. The old gentleman, who, be it remembered, is Leang's uncle, receives the youth with great civility, and invites him, and his cousin Heaou, who accompanies him, to dinner. While the servants prepare the repast, General Yang (that is the gentleman's name) takes the youths into his grounds, and entering, in their rambles, a summer-house on the edge of a lake, they find a sweet little ode pasted up on the wall. The subject is no more than a drooping willow, planted in the middle of the lake. General Yang informs the young gentlemen that the verses were produced by his daughter, and, by way of compliment, requests Leang to celebrate his garden in an *extempore* ode. The lover, after some hesitation, complies, and his piece, in which he slyly alludes to Yaou-sên's cruelty, is pasted up by the side of the young lady's. Next morning, soon after dawn, (for ladies rise early in China,) the beautiful poetess, accompanied by her maids, repairs to the fragrant summer-house, to watch the progress of the morning among the clouds, and is very much surprised to find an answer to her ode on the wall,

<sup>3</sup> That is, to acquire fame; which we express in Europe by saying, such a one is intent "to win the boys."

and still more on perceiving it to be signed with the name of Leang. Upon this it is remarked by one of her maids, that undoubtedly heaven had decreed her union with the young student; and though Yaou-séen, through maiden delicacy, affects to feel angry at the thought, the reader soon begins to perceive that Leang has not been "gnawing a file." The intercourse between the lover and his mistress's family being now firmly established, the old General begins to conceive that a young man of so much wit and refinement might make a good son-in-law; but he cannot prevail upon himself to break the ice. They meet, therefore, with the same proposition on the top of each of their tongues, but some accursed notions, on one side of modesty, on the other of decorum, prevent their explaining themselves. How frequently are the whole schemes of life blasted by feelings of this kind! One won't begin—neither will the other; people meet, with large intentions in their souls, and would give the world to be delivered of them; but words, always so ready when they can be of little use, refuse to come; they cannot look their thoughts—would to God they could!—so they stammer out incoherent remarks on things they are not thinking about, and, feeling the extreme agony of their situation, retreat with mutual eagerness from the embarrassment of each other's faces.

But to go on with our tale. Not being able to communicate his wishes, General Yang invites the young student to have a door opened between their gardens, that each may enjoy, at will, the pleasure of sauntering through both. Of course this proposal does not require two words. Leang has the door suspended before the next morning, "lest," as the poet expresses it, "the old gentleman should change his mind." The next day, he meets one of Yaou-séen's maids "among the flowers," and does not, of course, neglect to breathe, through her mini-stry, his amorous sighs into his mistress's ear. On this occasion, Yaou-séen herself owns her love to the confidante, but in a manner the most delicate: "None but you and I," said she, "may be acquainted with this affair. *While in the retired apartments we are as elder and younger sisters*; of all the servants, there is none that attends so frequently on my person. When I heard you unravel the thread of his wounded heart, *you sowed the seeds of love, and caused him to be pitied*." A passage of no inconsiderable beauty occurs in this part of the poem, of which we shall extract a few portions; it is where Yaou-séen and her inseparable maids are introduced gazing at the autumnal moon, and moralizing like philosophers:

It being the commencement of autumn, and the moon shining bright, she ordered Yun-heang to roll up the painted screen. In company with her servant, she went on the terrace to gaze at the moon, for its globular reflection in the water was beautiful to behold. *As breeze after breeze of the pure wind entered the silken doors, the shadow of the flowers appeared to dance on the wall.* . . . The flowers, from season to season, continue to bloom and fade, so the bright moon, in the course of the year, repeatedly arrives at her full. . . . Some time has elapsed since I planted a row of silken willows; though small, they were then green, and reached to the top of my

shoulders. I perceive to-day that the branches have grown long and stout; let me count with my fingers how many years have elapsed. The western wind having of late blown for several days,<sup>4</sup> I perceive they are blighted, and stripped of their blooming hue. I think mankind in general resemble those delicate willows. . . . The blighted willows will again experience the return of spring; but man, as yet, when old, has never become young.

These are the reflections of one of the maids. The other, interrupting her, says:

Such thoughts we should discard, as the wind disperses the evening clouds. Let it not be said that the revolutions of the moon and year make us old! but let us converse about this evening's beautiful moon.

These natural sentiments enter into the poetry of all nations; the expression of them alone can be original. The above extracts will recal to the reader's remembrance several passages of Beattie's 'Hermit,' and those exquisite lines in the Epitaph of Bion, which have been thus translated into English:

Our plants and trees revive; the blushing rose  
In flower of youth and pride of beauty glows;  
But when the masterpiece of nature dies,  
Man, who alone is great, and brave, and wise,  
No more he rises to the realms of light,  
But sleeps, unwaking, in eternal night.

One morning, Yaou-sên is prevailed upon by her favourite maid to stroll into the gardens of Leang. From the earliness of the hour, they hope to escape unperceived by the owner, whom the young lady thinks sufficiently sound in mind still to enjoy his repose, and to dream "with his soul by his side." However, she turns out to be mistaken: Leang meets her "among the flowers," and hazards at once a declaration of love, and a request that she will allow him to hope for her hand. The lady wards off his eagerness with smiles, and contrives to escape without committing herself. However, the hearts of the lovers remain not long sealed to each other; another meeting, more effectual and propitious, takes place by moonlight, during which all the closeness of reserve melts away, the lady owns her love, and consents to bind herself to Leang by a vow of eternal constancy; of which, to make surety doubly sure, two written copies are made, one of which the lady deposits in her bosom, and Leang preserves the other. Yaou-sên's maids are witnesses of the contract, which Leang considers so entirely a marriage, that he even presses his mistress for permission to exercise all the privileges of a husband at once. The lady, alarmed at this precipitancy in the presence of her slaves, exclaims:

Were you to kill me, I aver I will not consent to your wish, but with a firm resolution wait in the bridal-chamber till spring! . . . Young Leang, perceiving that she would not yield to his embrace, restraining his grief, sat by her side in the shade of the flowers.

In a very few days, Yaou-sên has reason to congratulate herself on her prudence; for Leang's father, resigning his distant employment,

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<sup>4</sup> It has the same reputation in China as the east wind in England.

and returning home in company with an old friend, contracts, without consulting his son, an alliance between Leang and his friend's daughter. The young student, now dreaming of nothing but Yaou-sên and love, is immediately sent for from Chang-chow, and informed of his unexpected destiny. The passage in which he bids his mistress farewell beneath the bamboos, is exceedingly pretty, even in Mr. Perring Thoms's translation ; for the natural sentiments of the heart are allowed to burst forth in their genuine simplicity :

Leang, with tears, addressing Yaou-sên, said, "To-day our separation must take place, and we be parted as by a dense cloud, for my father, having resigned his office, has returned to cultivate his fields. . . . Who is able to relieve me of the anguish I now feel on parting ? Can the willow's silken thread bind the single youth ?" Yaou-sên, among other things, replies, "From henceforth, though your father and mother should not give their consent, most assuredly I will never tattle with you by marrying some other person. Since death, which regards neither the rich nor the poor, is the lot of all mankind, it is my determination to leave behind me a chaste grave, a companion for the evening's dusk. As yet, I am unacquainted with the decision of you, my husband ; but you can now say a few sincere words before the flowers." Leang renews his vows, and thus they continued hand in hand, dallying, they knew not how long, till they saw the sun in the west, and the willows' shadow reflected on them.

What need of more words ?—they part. When the student reaches home, and finds that, without his consent or knowledge, he has been betrothed to another, he becomes nearly frantic, and can scarcely restrain his anger even in the presence of his father. But what can he do ? the paternal authority is not to be questioned in China. He is overwhelmed with grief, and after briefly greeting his parents, retires to brood in solitude over his gloomy fancies. The story now quits him, and returns to Yaou-sên. It seems that, shortly after the departure of Leang, the anniversary of her father's birthday returns, and young Heaou, whom the reader will remember to be Leang's cousin, arrives to partake of the natalitial feast. As Leang had not found courage to apprise the Yang family of the decision of his parents, the General, on inquiring for him of his nephew, expresses some surprise at the circumstance ; and Heaou bluntly observes, that it must be attributed to his being too busily occupied with preparations for his approaching marriage. Yaou-sên, who had stood listening at the head of the table, now retires to her apartment to relieve her heart with tears. Shortly after this, her father receives the Emperor's commands to repair to the capital, whither he immediately proceeds with his family, and is invested with the command of a numerous army then about to march beyond the Great Wall against the Hoo rebels. He departs, leaving his wife and daughter at the house of a near relative ; and news very soon arrives that he has been defeated, and is surrounded by the daring rebels. In the meanwhile, Leang's marriage is deferred, and he again obtains permission to pursue his studies at Chang-chow. He now flies to throw himself, as he hopes, into the arms of Yaou-sên ; he arrives at Yang's dwelling, and finds the grass growing on the paths of the garden, and heaps



of withered leaves drifted into the summer-house by the wind. Staring about wildly, not being able to comprehend what he sees, he comes up to a feeble old gardener, and learns from him the extent of his misfortunes. For a description of his grief we must refer to the poem itself, and proceed with the narrative.

By the arguments of his cousin Heaou, he is prevailed upon to attend the literary examinations at Nankin and Pekin, and his essays succeeding, is raised to very high dignities, both literary and civil. Still no news of Yaou-sên; and, therefore, as neither honour nor fame can efface her from his heart, he is unhappy in the midst of success. His apartments looking into the Han-lin gardens, and his own grounds adjoining them, he one evening, while walking among the flowers, hears a plaintive female voice on the other side of the wall, and looking over, discovers Yaou-sên sitting by a fish-pond, lamenting, and wiping away the tears from her eyes. He is soon by her side. Explanations follow; and when they part that night, it is with an understanding that Leang will obtain the Emperor's leave to fly to the rescue of his mistress's father. He is successful in his application to the Prince, and departs with a numerous army to the seat of war. The poet, not dealing in miracles, represents the young student as a very indifferent general: he proceeds with less prudence than ardour, and the wily foe retiring before him, he is drawn into the enemy's country, defeated, driven upon a mountain, and formally besieged there. Fame, whose reports are seldom very exact, rumours it abroad that he has fallen in battle; and the news soon reaches his parents, Yaou-sên, and his other betrothed bride. This young lady, whose love for Leang is pure fantasy, is immediately importuned by her thoughtless parents to contract a new union, and her compliance being insisted on rather harshly, she throws herself at night into the great river. An officer, however, who happens to be on the stream in his barge, saves her life, and being old and childless, he and his wife adopt her, and sail away with her on the next day. In the meanwhile, Heaou is sent out with fresh reinforcements against the rebels, and learning that both Leang and his uncle Yang are still living, though in danger, he approaches the spot where they are besieged, and informs them of his arrival by letters shot into the place on the points of arrows. To be brief, they entirely defeat the enemy, and returning to Pekin, are raised, by the gratitude of the Emperor, to the rank of duke. Further still, to reward the gallantry of Leang, the Emperor commands Yang to bestow on him the hand of his daughter,—a command very agreeable to all parties,—and accordingly the lovers are at length united. Hearing of all these events, the ancient officer who had saved the life of Yuh-king, Leang's other mistress, comes forward in her behalf, and claims the fulfilment of Leang's engagements. Her case being laid before the Emperor, that good-natured Prince ordains that Leang shall have two wives, and Yuh-king is forthwith associated in the honours of his "silken apartments." On this occasion, Yaou-sên displays to advantage her genuine love and devotion to her husband, by intimating that, rather

than stand in the way of his advancement in the Emperor's favour, she will consent to descend to the rank of mistress, and leave Yuh-king in the undivided possession of his lawful bed. The Prince's clement decision, however, renders this sacrifice unnecessary.

There now remain two very interesting persons to be provided for—Yaou-séen's beautiful favourite maids; and the poet, making it a matter of conscience to dismiss his creations as graciously as possible, *they* also are introduced into the "silken apartments;" and the whole quaternity being no less fertile than beautiful, Leang has four sons presented him by his four ladies, in the course of the year. Having said thus much, and added that all were happy, the Chinese muse withdraws with manifest glee and satisfaction.

It remains to make a remark or two on the translation. Mr. Thoms appears, we are sorry to say, to be unacquainted with the grammar, no less than with the beauties and delicacies, of the English language. He employs the most barbarous phraseology; and, while he very often tries to convey a common fact in unwieldy pomp of words, his expressions, where beauty and tenderness of language are requisite, descend perpetually to coarseness and vulgarity. We are likewise persuaded that he woefully misrepresents his original in many places, either through an imperfect knowledge of the Chinese, or a still more imperfect knowledge of English; or, more probably, of both those languages. It is likely that a long residence in the East has defaced from his memory all the nice distinctions of words; at all events, a more unlucky choice of terms was never before made by any author. We shall give a few examples:

Young Leang, *surprised* at finding himself alone in the silent study, *rosed*, and with a smile, &c. (p. 4.)—If youth be not spent in gaiety and pleasure, *the life is in vain*. (1b.)—The dew *besprangled* his clothes. (p. 15.)—The servants, *through mistake*, *recognized* him for young Heaou. (p. 17.)—He *bounced against* [met] young Heaou. (p. 31.)—Then the bright moon was only to be seen, for man was in *his first nap*. (p. 32.)—To the south shall be raised a *temple* to the green plum, *which pillars* shall be inlaid with five different colours. (p. 42.)—From his ode I perceived he was deeply in love. I know his grief, *as to extent*, may be compared to the vast ocean. . . . For his person and various attainments *would usurp* him the preference. (p. 69.)—Miss Yaou-séen, on hearing some one approach towards her, *disregardless* of Yan-heang, *would in her flight take the precedence*. (p. 85.)—The two youths (Leang and his mistress) could do no other than *separate*. (p. 89.)—I, the *rouged girl*, who *dwells*, &c. (p. 92.)—While a solitary taper *casted* its dim light, &c. (p. 101.)—Her head *sunked* in her bosom. (p. 112.)—On the female servant *jutting* her mistress to retire to the fragrant room. (p. 113.)—*Flipping his fingers*, he continued to sigh, &c. (p. 132.)—My looking-glass I will *smash* to pieces. (p. 139.)—Let us, *disregardless* of our fate, *endeavour* to escape with our lives. (p. 225.)—Being *incompassitated* by disease. (p. 229.)—Your slave will be content in being only *your lady at call*! (p. 243, &c. &c.)

Had the work been introduced to the public in an elegant and correct translation, it might have become a popular book; whereas now it can never expect to be generally tolerated, notwithstanding the

simplicity and vivacity of the author's conceptions. It is to the barbarous jargon, in fact, into which Oriental books are in general *translated*, that their slight success is chiefly to be attributed. In this matter, many of our Eastern scholars might gain something by imitating the French, who, whatever else they may do, are generally found to write their own language well.

But, great as are the defects of the translation, 'Chinese Courtship' is a book which we will venture strongly to recommend to as many of our readers as can overlook blunders in grammar and Orientalisms, or, at least, barbarisms in diction. It is well calculated to make us acquainted with the people who for so many years have supplied us with tea and porcelain, and who some time ago appeared to Voltaire, and many others, to be the wisest of nations. And as it is irksome to be ungrateful, we are certainly obliged to Mr. Thoms for his present, imperfect as it is; for though we could not but be considerably annoyed, while perusing his work, by the grotesqueness of his phraseology, the sentiments he was the means of unfolding to us extorted our forgiveness.

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LINES

*Composed and Sung, à l'improviste, upon hearing a Lady sing an Ode of Anacreon in the Original.*

I would the Teian bard were here,  
To taste of bliss, indeed divine:  
Well might he quit the starry sphere,  
To hear those liquid notes of thine.

What though to Pleasure's wildest dream  
His festive harp was often strung,  
'Twas wine inspired the maddening theme,  
And Frenzy mark'd the strains he sung.

And if, perchance, to wake the lyre  
To gentler themes, his fancy strove,  
What could the Dames of Greece inspire  
Of soft or passionate in love?

Oh! could he hear those notes so gay,  
And gaze on that enchanting form,  
A sweeter strain would grace his lay,  
A brighter flame his bosom warm.

The warmth that Beauty's glance inspires,  
Would breathe through each impassion'd line,  
And, taught by Love's resistless fires,  
His song would catch a grace from thine.

Sweet Songstress! strike the lyre again,  
While captive hearts the strain approve;  
'Tis sweet to hear—but oh! 'tis vain  
To see thee, and forbear to love.

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### THE WARS OF DR. BRYCE AND THE INDIAN PRESS.

THE Bengal Papers transmitted to us during the last twelve months, have so teemed with the never-ending controversies of this reverend Preacher of peace, whose fierce contentions with many of the first members of society had before made him so notorious in India, that to have given a full account of his unholy wars as they successively arose, would have often occupied a larger portion of our space than the history of the Burmese campaign itself. We have therefore been compelled either to omit them entirely, or give a very brief sketch of the several events collected together into one point of view. In adopting the latter alternative, by which we hope to get rid of the subject, at least for a year to come, we consider ourselves discharging a duty to the members of the Church of Scotland in this country, who may not be aware of the manner in which Presbyterianism is brought into disrepute by the person intrusted to support its character in the East.

The readers of this work are already acquainted with the Reverend Divine's connexion with the Indian 'John Bull,' the great disturber of the peace of society in Bengal. He had been long accused of being the author of the most virulent libels it ever contained—an accusation which he never ventured to deny. But as it could not be legally substantiated, he sought pecuniary damages in a court of law for an imputation which was true for any thing he ever asserted to the contrary. Afterwards, his long-suspected connexion with this vehicle of slander matured into a proprietary right; and, latterly, he has avowed himself as the active "manager and approver" of whatever appears in its columns. Consequently, we now find ourselves treading on very safe ground in holding him responsible for its errors and offences, which are of no ordinary magnitude. To limit ourselves to the space of one year, we begin with his controversy with Dr. Muston, in August 1824. This gentleman, Editor of a rival publication, finding himself unhandsomely treated in the Reverend Divine's paper, could not help reminding him that he had been on former occasions much more addicted to wounding the feelings of his neighbours than became his sacred office. Allusion was particularly made to the gross public insult he had offered (in his Magazine for April or May 1823) to that large class of persons now grown up in India, partly of British and partly of Indian parentage, by applying to them the opprobrious term *half-caste*. To an English reader, the import of this epithet cannot be felt so strongly as by persons who have been resident in India, where, as the great body of the people are distinguished into different castes, between the lowest and the highest of which an almost infinite distance of rank is considered to exist, to say that a man is of very low caste is extremely degrading; to call him "a half-caste" seems to imply that he has no caste at all, or is below the lowest Native grade—a pariah, or outcast. Those to whom this term is opprobri-

ously applied, must feel it the more acutely in proportion as they are more closely allied with the Native race, and within the influence of the Native modes of thinking. Dr. Bryce, from his long residence in India, could not fail to be well aware of the state of public feeling on such a subject, and of the delicate manner in which it became public writers to treat of it, with all his long experience in conducting periodical publications there, during the previous seven years. Supposing he had not been previously aware of the insult such an opprobrious epithet was inflicting upon a large class of society, he was soon warned of it by remonstrances, both public and private, from many members of the class he had aggrieved. But instead of apologizing, or withdrawing the offensive term in his next Number, he published an excuse of it, drawn up in a style of taunting defiance, which was felt to be a very gross aggravation of the original offence.

For this outrage on public decency he had no other apparent motive than to throw out a saicism against the then Editor of the '*Calcutta Journal*,' who was an East Indian; regardless though, in aiming at him, he wounded the feelings of all his countrymen. The Doctor would have been severely handled for this in the public papers; but the government of the late Mr. John Adam, whose pensioner and partisan he was, stepped in, as on former occasions, to screen him from public censure, by sending a threatening letter to the Editor of the said '*Journal*' when he showed a disposition to retaliate in self-defence.

A year after, when Mr. Adam had descended from his temporary elevation, and there was "another king in Egypt who knew not Joseph," Dr. Muston, as before stated, when personally attacked, made an allusion to the fact of the Reverend news-monger having "opprobriously" applied the term "half-caste," in a manner wantonly insulting to a class of individuals. The Doctor, with as little of Christian meekness as dignity or prudence, (considering that the charge had not been and could not be refuted,) fiercely replied that it was "utterly false." In saying so, he relied on the poor quibble, that though the term was used, it was not used "opprobriously"; as to which, however, the public, who were the best judges, decided otherwise. On this, he entered into a fierce newspaper warfare, which kept Calcutta in a complete ferment for several weeks; during which, scarcely a day passed but one half of the public journals were filled with the polemical effusions of the Doctor and his friends, or the opponents they summoned into the field. A most remarkable feature in this controversy was the contrast presented between the manner in which it was conducted by the different parties: the writings of the Reverend Doctor and his friends displaying a virulence of feeling, and violence of expression, that harmonized ill with his meek and holy calling; while those of the lay Editor to whom he was opposed, were equally distinguished by courtesy and moderation. Though it would be difficult to conceive what motive could impel a clergyman to persevere with such pertinacity in this unseemly strife, his conduct as a political partisan and news-vender is sufficiently

intelligible. As Dr. Muston was the conductor of a paper which had succeeded to the 'Calcutta Journal,' as the advocate of those liberal principles which the 'John Bull' was established to put down, the obvious plan of tactics resorted to now, as on former occasions, was to goad this rival into some violence of expression which might induce the Government to suppress it, or banish its Editor, as the 'Calcutta Journal' had been suppressed, and its Editors banished. If any doubt could have remained of such being the Reverend newsmonger's object, it was placed beyond question by a letter under his signature, dated August 28th, 1824, in which he publicly quoted the regulation of Government for suppressing newspapers, and pointed out the 'Scotsman in the East,' the paper of his opponent, as a fit subject for its exercise. If the Government had taken this malevolent hint given to it, this would have been the third victim sacrificed to its Reverend partisan. The priest who had involved him, like his predecessors, in the toils of controversy, seemed to have already bound the fillet round his devoted head; but he escaped from the deadly stroke intended for him; saved, probably, by his connexion with one of the Members of Council, of whom he was the son-in-law.

Before things came to this extremity, Mr. Matthew Lumsden, Arabic Professor of the College of Fort William, undertook to mediate between the parties, and became the channel of some confidential communications between them, on the condition that they should not be made any public use of without mutual consent, unless they led to an amicable termination of the dispute. Dr. Bryce, however, determined to avail himself of every sort of weapon within his reach, lawful or unlawful, that could annoy his opponent,—published to the world what he had received in confidence, under an express stipulation not to do so. His own friend, Dr. Lumsden, consequently found himself called upon to hold up the Reverend Divine to the world as guilty of a "violation of his pledge." This charge stands on record against him, in a letter, signed with Dr. Lumsden's name, in the Calcutta 'Scotsman' of Sept. 14th, 1824. The worthy pastor who holds out so excellent example for the imitation and improvement of his flock, met this charge next day by a declaration, that "this was the first time he had ever heard of such a pledge." ('Scotsman,' Sept. 15th.) Unfortunately for this asseveration, however, the following passage, referring to his breach of confidence, had appeared in the same paper a fortnight before. After quoting a letter of Dr. Lumsden, which says, "I beg leave to assure you that *no use* of our private conference can ever be made with my consent unsanctioned by you; and Dr. Bryce, to whom I have spoken on the subject, has *engaged* that no such use shall be made of it;" the Editor added—

The attentive reader will now perceive, notwithstanding this assurance on the part of Dr. Lumsden *for* Dr. Bryce, that no use of our private conference should be made, that both Dr. Bryce's letters (published by him) are founded upon it;—yes, upon the very passage we pointed out in *confidence* to Dr. L. at the commencement of his friendly interference.

A fortnight after the publication of this written promise, with the complaint of its violation, the Reverend Divine gravely asserts that he, the person of all others most interested, had never heard of its existence at all ! Besides this glaring inconsistency, as it is impossible to suppose that his own Friend should have unjustly thrown such a stain upon his reputation, we must come to the conclusion that he has not much improved from what he was nearly seven years ago, when six of the principal inhabitants of Calcutta found themselves called upon to circulate a statement, with their signatures, charging him with having "retailed to the world, in open and avowed contempt of the common observances of society, expressions alleged to have dropped from individuals, in the confidence of private conversation." "To say that such a recital is untrue," (they added,) "is hardly to affix to it a blacker stigma than that which already belongs to it, and is inseparable from it."<sup>1</sup>

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We now come to the last remarkable controversy in which, up to the date of our latest accounts, the Reverend Doctor was engaged. In a former Number we mentioned the circumstance of his having "thrust forward his brother-in-law to risk his life in a quarrel not his own." This is the serious charge brought home to a minister of the Gospel in Calcutta ; and, bad as it is, accompanied, too, with several very heavy aggravations. The origin of the quarrel was this : Dr. Bryce is known to be the real Editor of the Indian 'John Bull' : as, by his own confession, under his hand, "nothing goes into the paper without his approbation." It was represented by a correspondent of the 'Bengal Hurkaru,' that the 'John Bull' had inserted an article in its pages, headed, "A light to enlighten the Gentiles," profanely comparing Jesus Christ to a gas-light. This happened to be an error, however, as the article had not appeared in the 'John Bull,' but in the 'Hurkaru' itself. Instead of correcting this, as the blunder of a correspondent, Dr. Bryce's paper charged it directly upon the Editor, accusing him of a breach of veracity. The reader will observe the gross disingenuousness of representing the mis-statement of a third party as a mis-statement of the Editor himself, and the consequent unjustifiableness of the charge of falsehood, so rudely and personally fixed upon the Editor of the 'Hurkaru.' The latter, Mr. Dickens, who is also a barrister of the Supreme Court, could not suffer this personal insult to pass unnoticed. When a call was made upon 'John Bull' for apology or satisfaction, Dr. Bryce held up his brother-in-law, Mr. Meiklejohn, as Editor ; a young man whose literary pretensions do not reach so high as the writing of a common note without mis-spelling. This nominal Editor, however, being able enough to cock a pistol, went out with Mr. Dickens ; and when the latter had received his adversary's fire he discharged his own pistol in the air ; having no wish to injure a person whom he knew to be a mere tool in the hands of Dr. Bryce. It

<sup>1</sup> Oriental Herald, Vol. IV. p. 516.

might have been expected, that this preacher of the Gospel of peace, on seeing that his evil passions had risked the life of a brother, would have shuddered at the precipice from which he had escaped, and, with deep remorse, vow to shun such a course for ever. But, incredible as it may seem, instead of evincing the least degree of penitence, he exulted in the mischief he had made, and taunted Mr. Dickens with cowardice because he had not fired at his brother! Nay, as if he meant in future to use this ill-advised youth as his bravo to defy all the world, he inserted a threat in his paper to the effect that others might expect now to be served by him in the same manner as Mr. Dickens had been. In a controversy which ensued between them, Dr. Bryce renewed the attempt he has been making for years to shake off the odium of being the supposed author of the series of infamous libels directed against Mr. Buckingham, under the signature of "A Friend of, or to, Bankes," &c., letters which he once said he would be "proud" to acknowledge as his, but which he yet dare neither confess nor deny. Mr. Dickens, in reply, addressed him as follows:—

You, Sir, and your candid correspondent, have called upon me for proof of your being an anonymous and contentious letter-writer; and you have gone a little farther still: because I have not produced for my belief *judicial* proof, you say that you have proved my belief,—no, not my belief,—my assertion, to be utterly unfounded! I pity you,—much as I despise, I cannot but pity you: your natural bias to shuffling is too strong for the common sense which nature has bestowed upon you, and you push your drivelling to the very verge of idiocy. You once denied, Sir, the letters of "An Englishman"; why have you not denied those of which you are so "proud"?

But enough of this, Sir; I will not be led astray to discuss a matter that is foreign to my quarrel with you; I believed you, when I wrote my first letter, to be the assailant of the Military Editor, "Nigel" "*Sempronius*," and the "Friend to Bankes;" either by the pen that wrote, the head that dictated, or the heart that approved. Suppose my belief in every case was wrong, Sir: admit this; how did this disprove the solemn charge I brought against a Clergyman of the Scottish Kirk?—that by your letter of the 17th of June, and your Editorial writings, you prepared, deliberately prepared, a quarrel between Mr. Meiklejohn and me, and, as it were, compelled your own brother-in law to risk his life in a duel, to the cause of which he was an utter stranger. Nor was this all, Sir; after this, you insulted, basely and scurrilously insulted and threatened me, by the hands and under the name of Mr. Meiklejohn, and taunted me with cowardice, for not having fired at my opponent!

You came forward, Sir, in what must have been a most distressing disguise: the robes of the priest encumbered the limbs of the gladiator, and they were quickly thrown aside. You left your masquerade of meekness, and changed the tone of exhortation for the cry of wrath and revenge. I like you better, Sir, for this, as I have said; it better becomes me to meet you. You have talked of my laboured letter; such as it is, Sir, it was written in the intervals of business in a well occupied day, and appeared on the morrow succeeding the appearance of your own. If time be the test of labour, I should think, Sir, your own compositions would smell most of the lamp; your occupation from Saturday



last to Wednesday was no doubt enviable and appropriate, and your productions bear evident marks of the refinement of taste and meekness of character which you, no doubt, possess. After what had passed between us, I certainly did not look for the language of absolute compliment. Yet if I did not expect the keenest sarcasm, and the most polished invective, I did look, I own, for some degree of decency in oburgation. But even here, Sir, you have fairly astonished me: you call me a "rogue"! How stouning a specimen of the tempered anger of the Christian Pastor! and of the habitual language of a gentlemen! Unhappy man! was there no one near you to arrest you, in your hour of phrenzy; no one friend to give you a word of advice that might have saved you from this last abasement? You fancied, I presume, that nothing would induce me to answer you, and you ran riot in imagined impunity, and indulged in all the insanity of the anger that ferments in a base and vulgar soul. If I have not applied such epithets to you, Sir, it was not because you did not deserve them; I have charged you with vulgarity, there is a coarser term; I have charged you with untruth, there is a coarser term; I have charged you with folly, there is a coarser term. I have not called you by the nouns substantive of the vulgar tongue, that most briefly express these qualities; it was better that you should prove, by your own writings, your indisputable title to them. It would have been easy for me, Sir, in imitation of your reverend example, to call you a liar, a rogue, a blackguard, or a fool, if it had been easy for me to forget that I am a gentleman, and owe some regard to my own dignity, as well as some respect to public decency.

It should be borne in mind, that it was the same paper with which the Reverend Divine has been long so closely connected as contributor, proprietor, or editor, which only a short time before involved the former conductor of the 'Hurkaru,' Lieutenant Macnaghten, in three or four duels, which occasioned his being deprived of his office of Deputy-Judge Advocate, and, consequently, reduced to poverty, if not brought to a jail. It was the same Reverend Divine, whose acceptance of the office of Clerk of Stationary, with the remarks which an appointment so incongruous justly called forth, occasioned the banishment of Mr. Buckingham, and the ruin of his property; and it was the mere mention of this fact which also occasioned the persecution of Mr. Arnot almost to death. After all this, and much more than we have room to enumerate, can it be wondered at that this mischief-maker is regarded and designated in India as the "Public Pest;" and his church almost utterly deserted? It is reported, that on one occasion lately there were only a dozen persons came to hear him officiate; and that, on another, himself and the precentor (or clerk) formed nearly the whole congregation! If the General Assembly of the Church of Scotland do not interfere to relieve their countrymen in Bengal from so grievous a reproach,—if they be left in this manner to the care of wolves in sheep's clothing,—we may expect that the Presbyterian flock will soon become extinct. A writer in Calcutta says:—

Of course nothing will be done to remedy the crying evil complained of, here. Apathy, indolence, the dread of being thought turbulent, an anxiety to preserve the smiles of some great, or would-be-great man, the

fear of missing an invitation to a party, and similar motives, will prevent people from coming forward here. It is hoped, however, for the honour of the General Assembly, that they will wipe away the "damned spot" which has so long polluted Presbyterianism in the East. If they do not, they need be under no apprehension, that any one will mistake the Church of Scotland here, for "a light to lighten the Gentiles."

Since writing the above, we have received another file of Calcutta papers, nearly filled with this controversy, of which we shall present, therefore, a few additional specimens. Mr. Dickens tells Dr. Bryce he is "a black sheep," "a black shepherd," "a gladiator" of the worst class,—a retiarius who deserves no mercy,—"a combatant in whom cunning, cowardice, and ferocity were planted," "a bawler for slavery," "a sycophant and stipendiary of the Government." The Reverend Divine, in a public reply, under his own signature, calls Mr. Dickens, in plain terms, "a rogue"! and (at least a dozen times by implication) "a liar"! Through the pages of his newspaper he further stigmatizes the same gentleman as "a bully," and "first cousin to a coward," and exhibits him dangling on a gibbet, enclosed within a D, an elegant allusion to his being "In-DE-pendant"! Such is the decent and orderly conduct of the well-regulated licensed press which the rulers of India think best suited for the improvement of their empire! Cobbett, or Carlisle himself, never had recourse to such low scurrility as here pollutes the pages of a newspaper, which is the property, and under the immediate superintendence, of a Reverend Divine; yet instead of being checked by the local authorities, he is rewarded with a pension, continued to him in defiance of the reiterated orders of their superiors!

Seven or eight years ago, this busy, meddling sycophant, resigned the secretaryship of the Calcutta Auxiliary Bible Society, under the pretence, it was understood, that he could not attend to it. Having renounced a situation so congenial with his spiritual calling, under such a plea, he has since had ample time (being paid for the same) to act as clerk of the stationary department, which supplies all the Government offices with paper, pens, pounce, &c.,—to conduct, at the same time, a monthly and quarterly magazine and review—to superintend the editorship of a daily newspaper, and, over and above all these labours, to carry on interminable controversies with the different editors in his own name. He has now published the letter in which he gave in his resignation, by which it appears that the avowed and ostensible reason of it was, that his unacquaintance with the Native languages disqualified him from appreciating the value, or defending the utility, of the Society's labours, against those who objected to the quality of their translations of the Bible. But unless their secretary be critically skilled in all the twenty or thirty versions of the Scriptures they may circulate, it is impossible he should be enabled, of his own knowledge, to defend them. And as such a qualification could never be required or expected by those who elected him, it is clear that this was a mere pretext to cloak the true reason—a disinclination to occupy his time in a service so unprofitable! For if it had been other-

wise, a person capable of supporting so many arduous secular labours of a literary nature, might soon have acquired such a knowledge of the Native languages, as other clergymen in India have done, to qualify him for aiding them in the diffusion of the Gospel. It accorded better with his taste, however, to employ his time in penning complimentary addresses, editing scurrilous controversial papers, and pocketing six hundred a year as the wages of his sycophancy. The term "gladiator" has been very happily applied to him; for he is ever in the arena of the most deadly strife; and the net which he employs to entangle his antagonists, is, first to provoke them into a controversy, and then to draw down on their heads the vengeance of the Government. It will be recollected, that the "Friend of Banks" having exhausted all the powers of calumny on Mr. Buckingham, then invited the Government to punish him for what he wrote in his own defence. The wish was soon after granted. The same course was afterwards tried with Dr. Muaton, who escaped, however, having good friends in the Council. Lieutenant Macnaghten fell into the snare laid for him by Dr. Bryce's paper, became thence involved in a series of duels, for the last of which he was cashiered, and dismissed from his office. Now, again, the Reverend gladiator has thrown out a hint to the Government that he had prepared a fresh victim—Mr. Dickens—if they chose to give the signal to despatch him! Such are the bad uses to which the detestable system of licensing both persons and publications in India is very naturally turned; for it is impossible that a bad tree should produce good fruit. We may justly apply the same maxim to the Reverend author of all this mischief, "By his fruits ye shall know him." If it were not that he is backed by the Government, whose pensioned partisan he is, so that persons cannot venture to appear as agitators against him, a public meeting, we are informed, would be summoned at Calcutta, to petition for his degradation from the sacred office, which he has proved himself so unworthy to hold. But it is confidently expected that the General Assembly of the Church of Scotland will wipe off so foul a stain as must attach to its character, if the head of the Presbyterian Church in the East is suffered to remain a very "proverb and a by-word among the heathen."

We shall conclude with a brief review of the principal phenomena exhibited by the press during the same period of twelve months, under the operation of the licensing system, for the preservation, as it is pretended, of "the peace, harmony, and good order of society." First, we are informed, that all the three daily papers then in existence, (the 'Scotsman,' 'Bull,' and 'Hurkaru,') threatened each other with legal prosecutions. This may be taken as a sufficient test of the harmonious nature of their contents, though the parties might have been restrained by want of funds, or other considerations, from carrying their threats into effect; as the consciousness of being reciprocally liable to punishment, if brought into a court of justice, might suggest the prudence of mutual forbearance.

Secondly, in the same period, the press sowed the seeds of two military trials, and no less than five duels: 1st, the Editor of the

'Bull' called out the Editor of the 'Scotsman'; 2d, the Editor of the 'Hurkaru' called out the Editor of the 'Bull'; 3d, the second of the latter called out the Editor of the 'Hurkaru'; then, 4thly, the latter called out Captain Kennelly; afterwards, his successor went out with the nominal Editor of the 'Bull': consequently, each of the editors of the daily papers had his call. To enumerate, then, the parties by name:—

1st, Mr. Greenlaw, Editor of 'John Bull,' and Coroner of Calcutta, &c., called out Dr. Muston, Editor of the 'Scotsman,' and son-in-law of a Member of Council.

2d, Mr. Macnaghten, Editor of the 'Hurkaru,' and Deputy Judge Advocate, called out Mr. Greenlaw.

3d, Captain Husband called out Mr. Macnaghten.

4th, Mr. Macnaghten called out Captain Kennelly.

5th, Mr. Dickens, Editor of the 'Hurkaru,' and Barrister of the Supreme Court, called out Mr. Meiklejohn.

Dr. Bryce, we think, would have added two or three to the list, but for his black coat. But though this sacred vestment kept him from appearing in the field personally in all of these, the paper under his control, as proprietor, was deeply concerned, not without suspicion that he was the person who shot the arrows of discord from behind this bulwark. In the last affair, (the only one which took effect,) he is directly charged with having been the immediate cause of leading his own brother-in-law into the field of blood! Such is the system, and such the instrument of it, patronized by the Indian Government, which banishes others for ridiculing his being made a distributor of paper and pounce! While the Editors are allowed to go on unchecked, deluging India with the rankling effusions of malice, which lead to these numerous personal encounters, they dare not venture even to *reprint* documents which the Imperial Parliament of Great Britain have thought worthy of being placed upon its records. This is actually the case with the petition presented to the House of Commons by Mr. Buckingham. In that petition, he had expressed an opinion that his countrymen in India would be precluded from knowing the fact, that the petition had been presented, or the proceedings to which it gave rise. When these reached Bengal, however, the Government, as if ashamed of being liable to such a reproof, immediately issued an order relaxing the restrictions on the press, in so far as regards Parliamentary proceedings. So severe are these restrictions, that it required an express indulgence from Lord Amherst and his counsellors, before any one dared to make our Indian fellow-subjects acquainted with the sentiments of their legislators. And as this special indulgence has not been yet sanctioned by the Supreme Court, to do so, is still, by the law of India, if the local authorities choose it, to be considered and treated as a sort of treason against the state, punishable by summary banishment and confiscation of property, or, in other words, the suppression of the publication. The Editors, half doubting whether they really enjoyed so much freedom, gave the newspaper reports of the debate, but withheld the petition itself, arguing very

sagely, that as the petition was not in the common newspaper reports; it was not, perhaps, to be considered a part of the proceedings. It was, however, in fact, the only authentic part of them, and would appear on the regular journals of the House; whereas the newspaper reports were a violation of its standing orders. But in India the natural order of things is reversed: the illicit matter is allowed to pass, the licit treated as contraband.

So much for the influence of fear in deterring the press from doing its duty: now for the influence of corruption employed by the Government to reward those who prostitute this instrument to suit its wishes. Not to mention again the *stationary* pension of the Reverend leader of the Macsycophants, let us take his prime coadjutor, Mr. Greenlaw, who has been some years Editor of the 'John Bull.' The following list has been sent us of his multifarious occupations and emoluments, *viz.*:

	Monthly Salary. Rupees, 800	{ including house allowed.
1. Coroner of Calcutta . . . . .		
2. Under Secretary to the Marine Board . . . . .	500	
3. Secretary to the Committee of Embarkation . . . . .	300	
4. Marine Judge-Advocate . . . . .	200	
5. Inspector of Provisions of Lascars . . . . .		Unknown.
6. Editor of 'John Bull' . . . . .	500	
7. Surveyor to Lloyd's . . . . .		Unknown.
8. Ditto to Star Insurance Office . . . . .	250	
9. Signer of Stamps, by which the average amount to be made is calculated at . . . . .	200	

Total Monthly Receipts . . . . . 2750 Rupees.

Of this amount, the sum of 2000 rupees per month, or about 2400*l.* sterling per annum, comes out of the public treasury, without reckoning the other situations whose emoluments are unknown. Our informant says: "Of the salaries I am not quite so sure, except as to Nos. 2, 3, and 4. The last (No. 4) is given in direct defiance of an order of the Court of Directors, which prescribes that no salary shall be given, but a fee for each attendance, of about one or two gold mohurs. And as courts of inquiry on pilots do not occur, perhaps, half a dozen times in the year, sometimes not so often, the Company are thus made to pay more than a dozen times as much as they deem an adequate remuneration."

It would appear as if a number of rich appointments and sinecures were expressly set apart by Government as a reward for the services of the Editors of 'John Bull.' The first Editor (Mr. James Mackenzie) received the following endowments:—

1. Marine Judge-Advocate.
2. Secretary to the Committee of Embarkation.
3. Deputy-Secretary to the Marine Board.

He was, at the same time, a Surveyor to Lloyd's, and a ship-builder, or proprietor of a dock-yard, in which latter capacity, business could be thrown into his hands by Government equivalent to another sinecure. There being loud complaints of this partiality, which could no

longer be continued with any kind of decency, this "John the First," as he was called, or rather, this bashaw of three tails, was superseded in some of his offices by Mr. Greenlaw, a succeeding Editor of the 'Bull,' who, as we have shown, became a bashaw of no less than nine tails!<sup>2</sup> We may expect to hear shortly that he, in his turn, has been succeeded in some of these emoluments by Dr. Bryce's friend, Mr. Meiklejohn, the present incumbent, or possibly by the Reverend Divine himself, who might become a Signer of Stamps, or Inspector of Provisions to Lascars, or Secretary to the Marine Board, with as much propriety as a secretary and inspector of tape, gum, and leather. Mr. James Atkinson, a surgeon in the Company's service, is another three-tailed bashaw of the press. He is

1. Editor of the 'Government Gazette.'
2. An Officer of the Mint.
3. An Officer of the College,—not professional.

These are the gentlemen who admire the present happy system of rule established in Bengal, under which they enjoy such blessings. No wonder they fill the trumpet of fame with loud praises of its wisdom and excellence. It is not without cause they celebrate the apotheosis of an Adam, or speak of William Pitt Amherst with a veneration as profound as if he were "the great statesman now no more." Well may they laud that state of the press which permits an Editor who is a flatterer of Government, to hold from three to nine situations, one half of them nearly sinecures. This they call liberty,—the liberty of the press! Yea, 'John Bull' gravely tells his readers, in one instance, that he can hardly spare time from defending the liberty of the press which they enjoy; and in another, he treats them with a song, the burthen of which is "Death or Liberty!" We can only afford room for the last four lines, in which the inspired penman swears—

That ere our country's freedom fall,  
Her bravest sons shall lowly lie:  
Our watchword be, "Our native land!"  
Our war-shout, "Death or Liberty!"

As well might the slave whose music is the rattling of his own chains, boast of supporting the freedom of his native land, as those servile flatterers, who are licking the very dust under the feet of an Adam or an Amherst; whose war-cry is only pensions and sinecures,—their watchword, adulation of the powers that be.

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<sup>2</sup> We are informed, that "Mr. Greenlaw had to resign the editorship of the 'Bull,' as a condition of being promoted to Mr. McKenzie's sinecures, or he would have gone on with both; for such is his grasping spirit, that it oversteps all bounds of decency. He actually applied, it is said, to act for Commodore Hayes, when he went on the Burmese expedition; thus endeavouring to thrust out Captain Collie, who has been deputy for years, and has a large family to maintain."

THE DESERT HORSEMAN.<sup>1</sup>

THE lightning glared, and the wild wind blew,  
 And the hurtling thunder broke,  
 And awfully black the storm-clouds grew  
 Beneath each wrathful stroke ;  
 When the Warrior Chief of the wild wood sprung  
 On the desert's coal-black steed—  
 Oh ! fearfully then the dark skies rung  
 As they trump'd the awful deed !

The plumes of the eagle waved o'er his brow,  
 And his tomahawk glistened bright,  
 And his bended bow and his arrows now  
 Were ready for the fight ;  
 The scalping-knife hung at his wampum belt,  
 And his mantle loosely flowed—  
 Oh ! who may tell what the Warrior felt  
 As thus with the winds he rode ?

On, on to the desert !—Hegon's eye  
 'Mid the gloom like a meteor burned,  
 When the furnace fire of the midnight sky  
 To cavern darkness turned ;  
 And his war-whoop pealed through the pathless wood  
 As he hurried madly on ;  
 And the wild horse dashed through marsh and flood—  
 Oh ! where hath the Chieftain gone ?

Hark !—'tis the shout of the Indian band  
 That rises loud behind ;  
 And the Warrior lifts his blood-red hand,  
 And hurries with the wind  
 Through the haunted glen and the trampled dell,  
 And the woodland plain of gore,  
 Where his Huron foes in the battle fell  
 A thousand years before.

And he vanishes by the hallowed vale  
 Where his fathers' sepulchres lay,  
 And a thousand ghosts with whoop and wail  
 Do hurry him on his way,  
 While the lightnings flare and the thunders break,  
 And the dark gale howls along—  
 Yet the Chieftain's heart it doth not quake,  
 But he bears him high and strong.

On, on to the desert !—wildly bend  
 The moaning woods around,  
 And the thick ravines of the mountains send  
 A hollow death-like sound ;

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<sup>1</sup> Founded on a tradition of the Oneida Indians.

And the beasts of the forest howl and cry  
For the flesh of the Indian Chief,  
But the Segamore hurries quickly by  
As the hurricane bears the leaf.

On the wild steed's back he stands upright,  
And his war whoop shrieks afar,  
And he draws his bow with a monarch's might  
At a light like a distant star;  
And a wail arose in the morning there,  
For an innocent child lay dead,  
And the arrow hung in its bosom fair—  
But where had the murderer fled?

On the horse of the desert, Hegon stood,  
And the trees shrunk back as he passed,  
While the black steed's hoofs through the lonely wood  
Crashed louder than the blast;  
And the serpent, coiled in his venom fold,  
Sprung vainly from his den,  
For far away over wood and wold,  
The horse rushed through the glen.

And a thousand men had vainly striven  
To stay that wild career—  
With the arrowy bolts of the midnight heaven  
Rode Hegon, void of fear;  
And his tomahawk struck on the forest trees,  
As he passed with terror by,  
And the wild wood fell—and the morning breeze  
Shook the sear leaves o'er the sky.

Thus the Prophet Chief in his terrors passed  
To the hunting ground of souls,  
'Mid the lightning's glare and the tempest's blast,  
Where, from their secret holes,  
The moose and the deer start up and scud  
Before the hunter's bow,  
While his arrow drinks their red, red blood—  
This Kichtan<sup>2</sup> doth bestow.

Thus Hegon passed in his war array,  
On the coal-black steed of Death,  
To the Land of Souls, where the warm clear day  
Is Arcouski's<sup>3</sup> breath;—  
And far in the northern wood, at night,  
The Oneida poets tell  
How Hegon rode in his warrior might,  
Where warriors only dwell.

L. F.

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<sup>2</sup> The god of hunting.

<sup>3</sup> The god of war.



**EVENINGS IN BAGDAD :—THE CALIPH HAROUN AL  
RASCHID.**

*Veterum penetralia regum. VIRG.*

*Harems of antient kings.*

ON the left bank of the Tigris, there was antiently, a little below the bridge, a small cemetery, in which the bones of the faithful were deposited. It was beautified by many superb tombs, whose cupolas of white marble, seen by moonlight through the tall, dusky, waving cypresses, had a religious and awe-inspiring appearance. A fountain of very cold pure water was close to the wall; and the incessant splashing it made in falling into a vast basin of red porphyry, was pleasant enough when heard at the same time with the distant song of the nightingale. On the side next the river there was no wall, but the green smooth turf sloped down gently to meet its waters, which generally ran along quivering, sparkling, and noiseless. Thither were the Caliph Haroun al Raschid, and his Vizier, Giafar Barmeki, wont to repair after their rambles through the city; and it is one of the many little adventures which occurred to them in that place that I mean to relate.

There are few things in which the Musulmans display so much taste as in the construction of their tombs; which are in reality small mosques erected over the graves of the departed; and frequently divided into a porch or vestibule, a choir, and a sanctuary. In the latter are sometimes suspended the turban of the deceased, his shawl, and the chaplet of beads on which he used to count his prayers. It was in the porch of one of these elegant little edifices that the Caliph and his favourite were seated one evening when they saw two men draw near them. As they did not wish to be perceived, they retired behind one of the jasper pillars which supported the roof, and, the moon not shining into the porch, it was easy for them to remain concealed. The men entered the very tomb in which they were; and, still continuing to converse in a low but earnest manner, penetrated into the sanctuary. The Caliph's curiosity was roused; he beckoned Giafar to follow him, and crept softly into the choir. In this apartment a small divan had been raised for the accommodation of those who came there to pray; upon this they sat down, and addressed themselves to listen to what might pass in the sanctuary.

There was no other light than that faint glimmer which is communicated from one room to another in a range where the first only receives the splendour of the moon; but looking cautiously into the sanctuary they could perceive the two men seated on the floor, beside a narrow-pointed window which let in the moonlight upon their faces. One was magnificently attired; and from two or three expressions which dropped from them, it was soon understood that the other was a stranger to the city. The Caliph was impatient at having lost

so much of a conversation which began already to interest him: the first thing he heard distinctly was what follows:—

“ We completely effected our escape, and, arrived in safety at Damascus, took a small house in that quarter of the city which looks towards the river. A small grove of palms concealed it from the eye of the passenger; it had an extensive garden behind it, and I soon procured from Rouen the books necessary to the prosecution of my studies. Fatima loved solitude. The recesses of the harem were to her more delightful than the bath, where so many females dissipate their lives; and, when I retired in the evening to her apartments, she delighted my soul by chaunting the soft airs of her country, or by playing some passionate air on the dulcimer. Thus we lived during many months. The apartment in which I generally studied looked out upon the grove of palms before mentioned, and I sometimes amused myself with looking at the doves sporting through the leaves. One morning early, on going to my window, I perceived a man seated at the foot of one of the trees, apparently observing my house with great attention. He was black, and I thought I had somewhere seen him before. I was immediately disturbed, I knew not why, and kept my eyes fixed upon his countenance; but he at length perceived me, and was up and gone in an instant.

“ Next morning I went to the window again, and the same black visage was before me. I observed his dress: he was in the habit of a slave, but had the appearance of belonging to some prince's retinue, for his vestments were costly, and he wore a dagger at his girdle. My agitation was greater than on the preceding evening; I could perceive that there was a connexion between that man's appearance and some coming danger to me, but was not able to perceive clearly what relation subsisted between him and my affairs. I endeavoured to return to my books, but they had ceased to delight; my whole imagination revolved round the idea of the black, as witches whirl about in their magic circles. I could perceive his features before me wherever I went, and was tortured by attempting to discover why I thought of him. At length I could no longer conceal my uneasiness from Fatima. She inquired why I was unhappy, and I readily imparted to her the truth. ‘Let me see him to-morrow morning,’ said she, ‘it is possible I may recognise his countenance, and unravel the mystery.’ I consented, and we were both impatient to see the dawn appear. When it was day we hastened to the library, and each of us was eager to be first at the window. There was no black to be seen. We concluded, therefore, that it was too early, and sat down on the same carpet to watch for his arrival. The whole day passed away, however, and he did not appear. Upon this we began to think there was no mystery in his former curiosity, and retired to rest. The following day likewise concluded without the appearance of my tormentor, and I again betook myself to my studies as if nothing had happened. This was the case for a whole week. At the end of that time, however, my visitor returned, and I thought his eyes were more full of scrutiny than before.

He staid longer, also, and appeared to wear a kind of threatening in his look. I now ran to my wife's apartments, and led her to the window. She had no sooner cast her eyes upon his face, than she exclaimed, 'Soul of the Prophet! it is my father!' I snatched her away, lest he should also recognise her face: it was too late; he had beheld her, and thundered out, as she fainted in my arms, 'Perfidious wretch! it is enough: I know my course.' Saying this, he was gone from my sight. I hesitated for a moment whether I should not fly after him, throw myself at his feet, implore his forgiveness, and submit to whatever he might decide. But my love for Fatima restrained me. When she came to herself we sat down to ponder over his singular disguise, and probable intentions; and we concluded that it would be proper to leave Damascus as quickly as possible. Our destiny, however, bound us to the spot; for having been unavoidably detained for a few days by the exigency of my affairs, and hearing nothing further of Meccami, we judged he had left the city, and abandoned us to our fate. As time flew by, this belief grew stronger, and we at length ceased to think of him except at intervals. Meanwhile, I had acquired the friendship of two or three learned Doctors, who read the Koran incessantly, explained all its easy passages, and made mysteries of what they did not understand. They touched occasionally on the question of its eternity; but as I knew my opinions on that point to be heretical, I very carefully abstained from uttering what I thought; for although, as I said, I was honoured with their friendship, there was no doubt but they would have excited the people to stone me, had they discovered that my opinions were different to theirs. It was our custom to meet at the mosque; but one or two of them deigned sometimes to visit my humble dwelling. On such occasions they were much freer in their discourse than when in public, and we even went so far once or twice as to send our slaves to a Christian merchant of our neighbourhood for a few jars of Grecian wine. This practice was beginning to be more frequent at length; and it served to warm the hearts of the Doctors towards me. They came oftener—we sat up longer—our theology was more liberal. We began to see there was something rational in drinking wine.

"One evening while we were thus indulging ourselves, my slave ran to inform me that two strangers desired to be admitted. I ordered him to conduct them to my presence. When they entered, I observed that their eyes were rivetted on the full goblets, which we had neglected to put aside; but thinking they might not be displeased at the compliment, I filled one for each and drank to them. They immediately sat down, and accepted my invitation; and I forgetting to inquire and they to inform me what they came about, nothing was thought of but how we might be merry, and pass away the night most agreeably. I forget what we conversed about; but before morning one of these strangers contrived to administer a sleeping potion to the Doctors and me; and when I awoke, late in the afternoon of the next day, I found myself lying in a deep quarry, full of thorns and briars,

and one of my slaves sitting by my head. 'What is this?' I exclaimed, 'How came I here?—Where is Fatima?' At the same time, I felt exceedingly weak, and on attempting to rise before he could reply, I perceived I was covered with blood, and that my bosom was bound tight with the muslin of my turban.—'For the love of God!' said he, 'do not move—you are wounded; I feared you were dead, for you could not be awakened!' 'And where is Fatima?' I inquired, 'where is she gone?' 'Those accursed strangers, God confound their beards! are the authors of your misery. It was the Governor of Damascus—it was that old caitiff Prince of Basra, your father-in-law! Doubtless nothing but the curse of God upon your debaucheries could have prevented your discovering him. When you fell from your seat, some twenty strange slaves forced their way into the room. Mecrami plunged his dagger into your breast, and ordered you to be thrown into the street. I saw the act—heard the order—and resolved to perish with your body wherever it might be cast. Fatima was dragged from her apartment, and hurried away through the darkness; your books were flung after you into the street; the Doctors were despatched I know not whither. When Fatima was gone, I heeded none of them, but approaching your body, I lifted it in my arms, and, bearing you out of the city, bound up your wound as well as I could. I proceeded with you until, as the dawn broke, I saw this quarry, into which I conveyed you, in hopes that life might not be wholly fled. With your leave, I will examine your wound; perhaps God has so ordered it that you may yet live.' I told him he might do with me what he pleased, and began to lament the loss of Fatima. My slave soon unbound my wound; and, having examined it, found that it was not likely to prove fatal. Upon this, we consulted what course we were to take; and I quickly determined to throw myself at the feet of the Commander of the Believers. Nevertheless, before setting out for Bagdad, I ordered my slave to return to Damascus, to inform himself, if possible, of the fate of Fatima. He returned to me that same night, with the news that my house had been razed to the ground—my property confiscated—my wife conveyed no one knew whither. I suspected that Mecrami had set out with her for Basra; and, having no means of wresting my beloved from his power, I abandoned myself for a moment to despair. At length my former project revived—I wished to depart instantly for Bagdad; but my weakness would not suffer me to walk, and my whole riches were now reduced to the few jewels I had about my person. My faithful slave was of opinion, however, that very little would suffice to carry us to the capital; only he counselled me to remain in some neighbouring village until my strength should be somewhat restored. Necessity compelled me to follow his advice; and in about three weeks we joined a caravan which was travelling across the desert, and happily arrived at this city. I remembered that my father, when he quitted Bagdad, had left a brother behind him; but as I knew no means of finding you, it was reserved for Providence to conduct me to your arms."

Here the young man left off speaking, and his uncle replied—  
 “Why have you not thrown yourself at the feet of the *Emir al Munnenin*, (Commander of the Believers,) and besought him to suffer the dew of his justice to descend on you? He is known to be a great prince, and by no means niggardly of his bounty.”

“May he live for ever!” said the young man, “but you must know that the Caliph’s eyes cannot see every thing. I have kissed the Imam’s sleeve for twenty mornings, but have never been able to penetrate into his presence; for Giafar Barmeki, his Vizier, upon whom be the curse of God! has discovered the purport of my errand, and uses his authority to keep me from the presence.”

Here the Caliph pinched his favourite’s ear, for it was too dark for the frown he put on to be seen; and it is certain that Giafar would have been glad if the young narrator had been at the bottom of the Tigris.—“They are traitors, my liege!” he whispered in the Caliph’s ear; “we shall only discover more of their villainy by remaining longer concealed; suffer me”—

“Silence, slave!” said Haroun. “Thou hast heard that the Caliph’s eyes cannot see every thing, and thou wouldst also stop his ears. We shall hear, Giafar, the sequel of their *treasons*; and, perhaps, we may learn how the Barmeki assists his master in dispensing justice to his subjects.”

It was with much bitterness of heart that the Vizier was compelled to be silent; but he hugged himself in the notion that *one* circumstance, at least, seemed unknown to the repelled suppliant. The two persons continued their discourse, of which not a syllable was lost on the Caliph’s ear.

“Abdalrahman!” exclaimed the uncle, “the Vizier is a cloud that prevents the rays of royal justice from falling on the true believers. But in this instance there is good reason for his conduct; for Meerami, whose daughter thou didst steal away, is of his family!”

This fell on Giafar’s ear like a thunderbolt; and, to increase its effect, the Caliph whispered to him, “Dog! thou shalt answer for this.”

“But be patient,” continued the uncle, “I have not lived all my life in Bagdad for nothing. Haroun goes to-morrow to the mosque, and he will then be accessible to all his subjects. Thou shalt doubtless have full justice.”

“Alas!” replied the young man, “that is quite impossible. I may have the satisfaction of seeing my enemies punished; but my Fatima! she cannot be restored to me!”

“And why not?” said the other; “dost thou think, because Meerami is all-powerful at Damascus, where the Caliph’s arm is little feared, because it is distant, that therefore Haroun is unable to do thee justice? If such is thy belief, thou deceivest thyself, and wilt see that the Emir Obeidah has not spent the spring of his youth at Bagdad in vain.”

“But my dear uncle,” answered Abdalrahman, “I have not yet informed you that my slave discovered, while we remained in the

environs of Damascus, that my beloved Fatima was known to have been conveyed to the Governor's harem. All that heaven can send me, therefore, is revenge; and that, by your assistance and God's blessing, I shall obtain at the hands of the Caliph."

"Even in this point also art thou deceived," said Obeidah; "for thou must know that the Governor, who had been appointed to his station only a day or two before thy disaster, was no other than Mecrami's son. Fatima, therefore, is only in her brother's harem."

At these words the young man would have kissed the carpet upon which his uncle was seated: he was silent for some moments with joy, and then gave vent to it in numerous incoherent expressions. What followed this in their conversation seeming to be of no moment, Haroun, in a low voice, commanded his Vizier to follow him, and stealing out of the tomb, returned to his palace. All the way he preserved a terrible silence, which Giafar several times in vain attempted to break. When they came to the door of Zobeide's apartments, the Caliph commanded his terrified favourite to be ready early next morning to attend him to the mosque, and entering the harem, left him to his reflections.

The Barmecide now began to curse the hour in which he had departed from the general tenor of his policy, which, to do him justice, was good; and, in a very melancholy mood, sought the chamber of his wife. She was the Caliph's sister; a woman of a fine wit, and of the most dazzling beauty. But what chiefly tended to endear her to her husband, was the talent she possessed of pouring forth, upon all occasions, a strain of most rich and enthusiastic poetry. By this means she often dissipated the chagrin which the anger of the Caliph caused his Vizier, and restored him to the possession of his equanimity and self-command. Her mind was naturally inclined to repose upon the bright aspect of things; and having had few crosses in life, her imagination resembled a young dove that had never been overtaken by a storm since it quitted the nest; but had gone on, shooting from one grove to another, while the sunny garb of summer was over all. On the present occasion her wit was not wanting. "Go this night," said she, "find out the discontented men, and if you cannot prevail on them, by promising redress, to desist from applying to the Caliph, you may at least induce them to soften the features of the affair, as it regards yourself. This advice was too good to be neglected. Giafar now knew well enough the way to Obeidah's house; and commanding a slave to attend him with a bag of sequins, he set forward on his enterprise. When he had reached the door, he perceived the two persons he was in quest of returning from the cemetery; and, making up to Obeidah, while his slave remained at a respectful distance, he began: "May the Prophet look favourably on your soul, Emir! you are happy in this world, for the light of the faith regards you with complacency. How do you do? Ah! this is the son of Al Motleb! It was on his account I came. Young man, you are fortunate in an uncle. How he has drawn down the blessing of heaven on you! for the Commander of the Believers, hear-

ing you had come to Bagdad, has been <sup>thus</sup> induced, by my means, to smile upon your wishes. I know your story; I know your attempts to obtain an audience of the Caliph—for what can be hidden from the eyes of those whom God enlightens?—but I was willing to learn from Basra, whether what you had to complain of my wicked relative were true. Alas! I have found that Mecrami has been touched by Satan, and have hastened to furnish you with the means of appearing decently before the Caliph, without being a charge to your worthy and kind uncle. The Imam will be at the mosque to-morrow; I shall attend him; and you may depend on me for a proper reception. But if you would prefer obtaining your wishes without exposing your eyes to the splendour of the Prophet's Vicar, you have only to speak the word, and Giafar Barmeki shall accomplish it."

Both heard this in utter astonishment, and kissed the hem of his garment in grateful acknowledgment of his beneficence; but the young man humbly observed, that he was desirous of approaching the "sacred presence," and that seeing the Barmeki was favourable to his wishes, no opportunity could be more propitious. He added, that he would be careful to say no more of Mecrami than what might be necessary for the recovery of Fatima. The Vizier counselled him to beware not to mention their present interview, as the Caliph was very jealous of his reputation for administering justice; and would not have it thought that he was influenced in his good intentions by the representations of any other person. This was promised, and it being all he could prevail on them to engage for, he left the bag of sequins with them, and retired.

Early next morning, the Vizier was seen in the hall of audience. The Caliph soon prepared to say prayers in the mosque, and set forward with his immense retinue. He was mounted on a mule most richly caparisoned; and a beautiful youth carried before him the imperial copy of the Koran, written in letters of gold, on parchment made from the skin of a new-born camel. The covers were polished sandal-wood, fastened with clasps of gold studded with diamonds; and the book reposed on a cushion of gold tissue, sparkling with carbuncles and emeralds. The Viziers, Emirs, Khetabs, and all the great officers of the court, marched after him on foot; and the people followed at a still more respectful distance. Just as they approached the mosque, Abdalahman and his uncle approached the royal beast, and, kneeling down, presented their petition. The Caliph received it with a gracious nod, and commanded them to repair to the palace at a certain hour in the evening.

It may easily be imagined that they did not neglect this command. They were there even earlier than was requisite, and had to wait, therefore, until the Caliph thought fit to see them. They were at length informed by Mesroun, the chief of the eunuchs, that the Commander of the Faithful waited for their appearance in an adjoining room. Upon this they followed him into a little elegant cabinet, where they found Haroun Al Raschid and his Vizier, regarding each other in the most awkward silence. "It appears by your petition,"

said the Caliph, "that you have been robbed of your wife and property by Mecrami Barmeki, cousin to our worthy Grand Vizier, and, moreover, have been repulsed in your attempts to convey the tale of your misfortunes to our royal ear, by Giafar Barmeki, our Vizier before mentioned."

At these words, the Vizier, Abdalrahman, and Obeidah, regarded each other with mutual astonishment; as Giafar had stipulated that nothing against himself was to be said, and as, in fact, nothing of the kind had been inserted in the original petition. The truth was, that Giafar's slave, whose ears had not been idle on the preceding night, (as the reader will readily guess,) as soon as he returned to the palace, informed one of the Caliph's chamberlains of the affair of the sequins. This person, who did not love the Vizier, was too happy in having an opportunity to do him an ill office to let it slip, and therefore imparted what he knew to the Caliph; and that prince, by no means displeased to have an excuse for humiliating his Vizier, caused a new petition to be drawn up, in which those particulars were inserted, and where the astonished favourite saw the above damnatory clause.

"It is worded thus, Giafar," said the Caliph, "is it not?"

The Vizier took the petition, with a very grim visage, and saw the words; then delivered it back to the Caliph, who went on reading to himself, while his auditors were wrapt in amazement.

"By the head of the Prophet! Giafar," said he, "if this be true, thou art no longer Haroun's Vizier, but a dog, condemned to lose thy head. Read, caitiff, and confess, or deny."

Upon these words he delivered him the parchment a second time, pointing to a passage with his finger. It informed the Caliph of the last night's transactions respecting the sequins, and the Vizier's attempt to send the young man away from the capital; adding, that the petitioner feared an ambush had been laid to cut him off as soon as he should leave Bagdad.

Upon this, the Vizier fell upon his knees, and confessed that all was true, except what related to the ambush. He requested his royal master to order him to be despatched instantly, and in private, that his enemies might not rejoice at his downfall, nor Abassah be dishonoured by his ignominy. "It is certain, dog," said the Caliph, "that thou deservest death; but as we have been accustomed to be merciful, we will forgive thee upon one condition: send for thy daughter, and deliver her in our presence to this youth, with a fine of twenty thousand dinars of gold, which thou shalt pay to him." The Vizier was about to despatch a slave for his daughter and the gold, when Abdalrahman threw himself at the Caliph's feet, and exclaimed—"In the name of the holy Prophet! pardon your slave. I have been aiming at felicity, and let not the Commander of all true Believers plunge me into utter despair at the very moment that I had looked to as the termination of my calamities. The Vizier's daughter is doubtless fair as the morning! but your slave can know no love for any other woman than Fatima. Be pleased, therefore, O most potent monarch! to deprive me of this honour, and of the vast fortune which was to ac-



company it; and let your sovereign power restore to me the light of my soul, the object of my early love, the woman that has forgotten affliction and sorrow in my arms! I have no eye for new beauty. My soul is in the harem of Damascus!"

"By Allah!" exclaimed the Caliph, "thou hast spoken well! Here, Giafar, I forgive thee: invest this man with the government of Damascus and Bosra; and let him punish Mecrami and his son as they deserve."

These words were no sooner uttered than obeyed. Abdalrahman departed for Damascus, recovered his Fatima, and, for love of her, pardoned her father and brother; who, admiring his generosity, afterwards contributed by their penitence to increase his felicity.

#### THE BEAU IDEAL.

TELL me why the anxious mind  
Paints the future still so fair?  
Why the forms it burns to find,  
Found, no longer lovely are!

Things to come, on Fancy's lap  
Wrapped in seraph-slumbers lie,  
And all between a gilded map  
Cheers and cheats the pondering eye.

From the leafy bowers of youth,  
Bowers where breathes the scented spring,  
Manhood's pursuits seem, in sooth,  
To lead near every lovely thing.

Hope, her rainbow o'er the scene,  
Bends, and sheds deluding light;  
And Love oft waves his torch between  
The shifting snows, to charm our sight.

Well! we wend through manhood's ways,  
Try its pleasures, feel its fire,  
Flitting Hope still mocks our gaze,  
Still the trooping Joys retire.

Now the path of age is seen  
Bending down the slope of eve,  
But the landscape still looks green,  
Still Hope's dancing lights deceive.

Last, thick clouds of darkness spread  
Where the fatal pathway tends,  
Thither sad and slow we tread,  
Sink—and thus our dreaming ends.

Bron.

## SOME REMARKS ON THE STATE OF SOCIETY IN INDIA.

*To the Editor of the Oriental Herald.*

SIR,—Though the observations I have to offer may not be original, yet I have no doubt of their appearing so to many of your readers. Many who have courage to face a Review or a Magazine cannot muster up resolution sufficient to attempt the formidable volumes of the historian and philosopher: it may, therefore, not be wholly useless to repeat here what may, perhaps, be found elsewhere, inasmuch as it may convey useful information to those who are accustomed to confine themselves solely to reading the periodical publications of the day. Numbers do this, and form opinions on subjects of the greatest importance from what they happen to find there respecting them. If the ideas they meet with there be correct, so will be their opinions, and *vice versâ*.

Unfortunately, there is another class of readers equally numerous, who may be termed *belles lettres* men, and who have, indeed, a most insatiate appetite for reading, but who confine themselves to works of which *reasoning* forms a very small part. The works of the sentimental poet, and sentimental novelist, and the agreeable biographer, are sought after by them, while those of men who can instruct and improve mankind are shunned as unamusing; or, if read, are read without pleasure and without instruction. To get men to think, who read simply for amusement, is almost impossible; the most that can generally be done is, to get them to form right opinions without thinking. Having no settled principles by which they can come to a conclusion, they are apt to follow implicitly what others say; and he who puts his ideas in the most agreeable form, is sure to have the greatest number of believers. The Magazine a man reads is usually his guide on all public subjects; and a laugh, or a witty thing there, often establishes an opinion, which a “demonstration as rigorous as that of Euclid” cannot afterwards overturn. This adds greatly to the importance of such publications, and renders them most active instruments of good, or the direct contrary. It would be well if they would always endeavour to inculcate useful ideas, in preference to administering to that nauseous sentimentality which so generally prevails. I do not mean that they should dress themselves in a stiff buckram suit of philosophy, for that would defeat the end in view, but that they should laugh on the right side, and should put sense in so agreeable a form, that it should be quite as attractive as nonsense. And, to quote poetical authority, which, by the by, is generally none of the best; but, however, men do not seem to have changed much in this respect from Tasso’s time to the present:—

Sai che là corre il mondo, ove più versi  
Di sue dolcezze il lusinghier Parnaso;

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E

F che 'l vero condito in molli versi,  
 I più schivi allettando ha persuaso.  
 Così all'egro fanciul porgianno aspersi  
 Di soave licor gli orli del vaso :  
 Succhi amari, ingannato, intanto ei beve,  
 E dall' inganno suo vita riceve.

As the 'Oriental Herald' relates peculiarly to India, perhaps it may not be wholly unacceptable to its readers, if I should endeavour to expose a few of the erroneous opinions formed by the world generally respecting that country. My *reasonings*, if I dare use that term, may not be new to thinking men, but I think they will be so to *belles lettres* readers. I may, however, fall into sad disgrace, as I am about to treat a very sentimental subject in a very unsentimental manner.

India, Persia, and Arabia, are, strictly speaking, the regions of romance; with them are always associated ideas of happiness and innocence; poets have dressed them in the most gorgeous attire, and have expended on them every epithet which their imaginations could supply, expressive of praise and admiration. Now all this may be very well in poetry, but it is miserably deficient in truth; and its effects are sadly mischievous, as it misleads the judgment, and inclines us to view all subjects connected with India in a very false light. One could be led, perhaps, to forgive the poets this sort of imposition: indeed, to reduce them to sober truth would greatly diminish their numbers and effect, though every one must allow it would wonderfully increase their usefulness. But that grave judges, and travellers, and pseudo-philosophers, should give such glowing descriptions of the happiness of India, as are to be found in the pages of many of the writers of the last and even of the present century, is truly astonishing. Were we to put faith in all they have told us, we should suppose that the inhabitants of those happy regions were not included in the original curse. Primeval simplicity, (which, by the by, is a very equivocal term, and often raises my heterodox associations,) innocence, wisdom, uncorrupted wisdom, are said to be their portion. It would seem that laws were of little, nay, of no service whatever there; that justice was a sort of *innate* principle amongst them; that, in short, nothing could be better, happier, and wiser, than the inhabitants of China, India, Persia, and Arabia. This opinion is still very generally entertained: it is supposed, that wherever Europeans, and European manners, and European refinement, and corruption have not penetrated, there all this happiness is still enjoyed; that the inhabitants there still pass their blissful days, and equally blissful nights, uninterrupted by care or by misery; that poets, love-sick poets sing—that lovely, love-sick damsels listen; that the former are always eloquent, and the latter always kind; that bowers are always blossoming—that couches of roses are always spread; that men are not selfish, not avaricious, not unjust. All this is a most charming picture. But is it true? The same was said of the North

American Indians, and may be said of any nation of whom we know little, by men who know nothing of the causes of the misery and happiness of mankind. The savages of America were represented as brave, generous, and hospitable, happy because free, and free because uncorrupted. A softer and more glowing picture was drawn of Eastern manners; but both the descriptions are equally false. It is to be hoped that the jargon of the antient writers is going out of fashion, and that nations will not be said to have been ruined from luxury and corruption; but that men will understand that all nations, whether eastern or western, whether dwellers in the beautiful and oft-lauded valley of Circassia, or in that unromantic place called England, will be equally unhappy, so long as any who have the interest, have also the power, to oppress them.

India, when seen through the medium of poetry and romance, and until Mr. Mill's '*History of British India*,' it was seen through no other, appears delightful; but if we establish some sort of principle to judge the happiness of mankind by, we shall find her to have been in a most deplorable state of degradation and misery. However bad the government of the East India Company may be, and bad enough it is, yet India has gained materially by the change from her Mogul to her European masters, and her Mogul conquerors were far superior to her Native Princes.

If a traveller should relate that he had seen a nation perfectly happy; if he should tell such marvellous stories concerning the simplicity and innocence of the inhabitants; and if he should assert that food could be procured there with half the labour we are accustomed to bestow on it; and if at the same time he should say that the inhabitants were of the human species,—the philosopher would not be certain that they were so happy as the credulous traveller represented them to be, until he had obtained a satisfactory answer to the question—what is the form of their government, and what are the laws of this happy nation? The greater number of the traveller's auditory would doubtless consider this question quite unnecessary, especially if the traveller had taken care to describe his happy nation in poetic strains—if he had described the country as one in which "the balmy south was ever breathing," and talked a great deal about groves of palms, and gardens of roses, and rung the changes usual on such occasions;—under such circumstances to be broken in upon by such a question as, "what is the form of their government," &c., would be exceedingly disagreeable, and most probably the impertinent catechiser would receive no reply; which it is more than probable that the traveller *could* not give; but we will suppose an extraordinary case—we will suppose the traveller both able and willing to give the desired information; if the answer should be, that the form of the government was an absolute despotism, and that the laws were such as hereditary priests and hereditary monarchs chose to make them, the doubts of the querist would no longer remain; he could and would assert, that, however the traveller might declaim, a nation under such circumstances could not

be happy. That he would be justified in this assertion, the principles of human nature prove beyond a doubt. It is a very unfortunate thing, but nevertheless very true, that men have a great desire to obtain the means of pleasure without any labour of their own; and it is also true that almost all the objects of desire are only to be obtained by labour: the only way then to get these good things without our own labour, is to make others work for us; but this, though very pleasant to the one party, is far from being so to the other, and consequently men generally become restive under such circumstances, being desirous of enjoying what they produce. Now this is a very dangerous propensity on the part of the many, because by that means the few would be reduced to work for themselves. The most effectual mode yet discovered to repress this great evil, is to point the anger of the gods against it. The thunderbolt is soon manufactured, and, for the purpose of giving it effect, is lodged in the hands of a select number of persons, known by different names in different countries: they are called Magi in Persia, Brahmins in India, and were formerly called Druids in England, (the last name has, however, gone out of fashion here). These persons, stimulated by interest, soon spread sufficient fear among the rebellious, by threatening them with the thunder which they most impudently assert to be heaven-made. They, by this means, obtain unlimited authority; the people are fleeced, and the plunder is shared between the earthly rulers and the heavenly delegates; the great body of the people are miserable, but then, oh, happy state! there are a few who live in ease, and contemplate their own superiority; and then that capital maxim is put forth which may be Englished thus:—

That those who think must govern those who toil.

That this has been the case in every country, history proves. Men have never known the means of securing good government; a few have obtained power, and then the consequence has been, that the many have laboured to support them in idleness, and have suffered the most deplorable misery for their enjoyment. But it may be asked, what has this to do with India?—Every thing; for if ever a country was rendered miserable by bad government, that country was India. It groaned under an absolute monarchy, aided by the most intolerant religion that ever man invented. Other lawgivers have been content with saddling an hereditary priesthood on the people, and with making them superior to the rest in something like a moderate degree; but Brahma, or whoever it was that may be considered the contriver of this precious system, took care to set his priests so far above the rest, as to make it sacrilege for some of the unhappy remainder to touch one of this reverend body. I will quote a passage from the celebrated work of Mr. Mill:—"The least disrespect to one of this sacred order, is the most atrocious of crimes. For contumelious language to a Brahmin, says the law of Menu, a Sudra must have an iron style, ten fingers long, thrust red hot into

his mouth ; and for offering to give instruction to priests, hot oil must be poured into his mouth and ears."—This certainly denotes a most agreeable and *romantic* state of society : but, for my own particular living, I should choose a country where things were ordered a little differently ; I should be inclined to seek a country where, if a man should have the will, he should yet not have the power, of putting a style red hot, and ten fingers long, into my mouth. And though no man is less likely than myself to assault any reverend person, or even to offer him any advice, yet an extraordinary event might lead me to commit this heinous offence, and I should then wish a punishment commensurate to it. And I should wish, moreover, (as without it men cannot be happy,) that the happiness of one man should be considered of equal importance with that of another ; and that, whether a man might be supposed to have sprung from a god's head or his feet, he should be equally protected ; or, at least, should be so until positive evidence were brought, that the god had recourse to this strange mode of delivery for the production of mankind.

But, to speak seriously, can it be supposed that men in such a state as every traveller has described the inhabitants of India to have been, could be any thing but miserable ?—and when we say men, we mean the community at large. Nations governed by despotic monarchs, without the further evil of a most debasing religion, can have no security for their happiness.—Take Rome as an example ; and we may confidently assert, that at no period could mankind under the sway of Rome be said to have been happy. At distant intervals, the city itself was under the sway of men who wished well to mankind ; at least they were not such monsters as some that afflicted that unhappy nation. For this, however, there was no security : the death of one man might, in one moment, render the whole nation miserable. But even in these times of prosperity, the distant provinces were exposed to the rapacity of delegated governors. Who was to complain of them ?—The emperor was at a distance, unable to learn the situation in which the people were placed ; impunity would induce men to commit every enormity for the furtherance of their own welfare, and the provinces would be drained for the purpose of satisfying the desires of successive governors. But the situation of India was still worse : they were without protection of any sort of good government ; they suffered under the extortion of their rulers of every denomination, from the monarch to the lowest collector of the revenue ; they laboured under a most dreadful superstition ; and, above all, they were divided into classes or castes, which of itself was sufficient to render the greater number miserable. For it contained within itself the source of every evil : it prevented all improvement, it prevented all approach towards a spirit of universal benevolence ; it created a spirit of hatred and pride ; it conferred on one set of men improper power, and subjected another to the contempt, nay, even the abhorrence of the others. I will again quote Mr. Mill :—"As much as the Brahmin is an object of intense

reverence, so much is the Sudra an object of contempt, and even of abhorrence, to the other classes of his countrymen. The business of the Sudras is servile labour, and their degradation is inhuman. Not only is the most abject and grovelling submission imposed upon them as a religious duty, but they are driven from their just and equal share in all the advantages of the social institution. The crimes which they commit against others are more severely punished than those of any other delinquent, while the crimes which others commit against them are more gently punished than those of any other sufferers."<sup>1</sup> This exhibits a picture which it is impossible for any one not to understand: where such things were law, mankind could not be happy.

The most correct guide we can have to judge of the happiness of nations is the law and government; without these are good, however beautiful the climate, however fertile the soil may be, the lot of the greatest part of mankind must be misery; this rule holds good in the south, and in the north; whether we judge of India or of England. The happiness of a nation is made up of the happiness of each individual taken separately. To judge, then, of the security for the whole nation, we may take the example of one man; and where we find there is no security for the continuance of his prosperity, in as far as it depends on political causes, there also we may be sure there exists no security for the happiness of all.

In addition to this insecurity of property, there may exist a second most powerful instrument of evil. Public opinion, that is, the opinion of the strongest party, may give birth to a system of unproductive suffering amongst the whole community. This may be done through the instrumentality of a religion such as that of the Brahmins, which prescribes a rule of incessant mortification, and which has set out the community into different lots, apportioning to each a certain number of privileges,—to some a great number, to others a very few. There cannot be imagined a more efficient mode of producing unhappiness.

1. In considering the first cause of misery that I have mentioned; viz., the insecurity of property, it is necessary to bear in mind in how great a degree property is the means of happiness; and then we can understand what evil is created by insecurity.

The only means of relieving those wants to which we are subject by nature, such as hunger and cold, is by property; viz., food, clothing, &c. And inasmuch as these wants are well satisfied, so are we happy. Property is produced by labour, but labour is pain: and all that makes men undergo that pain is to avoid a greater, by means of the produce of labour. But if this produce be taken away, the pain is undergone without the recompense. The unfortunate being who

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<sup>1</sup> It would have been well for mankind if historians had generally followed such a plan as Mr. Mill has formed for himself. He has applied philosophy to history more successfully than any of his predecessors, and has given us a sure test by which we can judge of the happiness of any nation.

labours for another, bears the share of evil that ought to be apportioned to two, and has only half the burden of pleasure belonging to one; he therefore has a much greater share of pain than the other has obtained of pleasure. If he labours in uncertainty respecting the enjoyment of his produce, he is under circumstances acutely painful and discouraging: the uncertainty diminishes his exertion, and forbids him to form those pleasing anticipations that constitute so great a share of our happiness. Nothing but the dread of starvation impels him to labour; and as soon as that want is satisfied, he neglects his task, and seeks in indolence his only means of enjoyment. In such a state, want, suffering, and ignorance, must be the portion of the people. Such was the situation of India. The labourer could never count upon his enjoying what he had produced. He was always called upon to supply the wants of an extravagant government, and the desires of an idle and rapacious priesthood. If he accumulated property, his danger was increased, as he thus offered to his surrounding enemies many and more vulnerable points to be attacked; he was, consequently, careless of the future,—poor, idle, and ignorant.

2. As to the second cause of misery, viz., the public opinion which gives birth to a system of unproductive suffering, India exhibits one of the most striking examples; and perhaps in no country has it been carried to so dreadful an extent.

As there are certain quantities of pain which men must necessarily undergo, they cannot possibly be completely happy; but the great object is, to reduce this pain to the smallest possible extent, and not by any means to add to what is already unavoidable. We are subject to certain physical evils that continually beset us, such is the pain of exertion necessary to produce our subsistence, sickness, and death. These, however perfect the system of government may be, we cannot escape; and they are in themselves sufficient, without any thing being superadded. Any prescribed rule, therefore, that increases this pain, without at the same time producing a counterbalancing good, is the cause of what I have called unproductive suffering. The religion of Brahma is made up of these observances, and exercises a continual control over the community. That religion is the most dreadful, which not only at distinct and distant intervals imposes great masses of unnecessary suffering, but which also inculcates a never-ceasing rule of privation. By every necessary act during his life, the Hindoo is reminded of his situation of suffering: he is hourly subjected to evils arising wholly from his fear of offending his gods or his priests; he dreads pollution from every thing that surrounds him; and to free himself from this supposed stain, he thinks himself obliged to undergo fasting, prayer, and often subjects himself to flagellation, and the torment of being fixed in one position, and that a painful one, for years. Torments the most horrid he believes the surest way of appeasing the wrath and conciliating the favour of his divinities. The state of mind that manifests itself in such extravagances must be dreadful; and it must be consi-



dered not only in regard to the individual undergoing this voluntary pain, but also in regard to the whole society. It is evident that fear must be predominant in the mind of every body who can suppose such torments beneficial to the sufferer. And although it may not be so intense, as in the unhappy being himself, yet it must be considerable, otherwise he would not be considered an object worthy of regard. The continual privations of the Hindoos, and the great torments they sometimes undergo by way of penance, with the voluntary sacrifice they often make of their lives, proves that their religion combines every essential quality for being a powerful instrument of evil. Of the division of the people into castes, no more need be said after the quotation from Mr. Mill. Hatred was by it made a religious duty, and every act of injustice and cruelty was sanctioned by authority from heaven.

After contemplating such a state of things, no one, I think, can put faith in any person who should represent the people of India as happy and innocent. Innocent they could not be, when they practised such atrocities towards one another; and happiness is out of the question, under such a government and such a religion. And though poets should unceasingly repeat—

Let India wear her jewelled turban still,—

no man of common sense or of humanity would wish to see a nation again subject to so dreadful a system.

J. A. R.

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#### FROM THE DEPARTED.

ADIEU! thou lovely one! whose steadfast tongue  
Hath long denied me, and doth still deny;  
Far from my country's bosom ever flung,  
Yet still for thee in solitude to sigh,  
And bless, till death, thy lonely memory,  
I go;—remembered but by faithful few;  
Yet when afar my requiem hymn is sung  
O'er my low grave, wilt thou with mournful yew,  
My empty cenotaph in swelling anguish strew?—

Wilt thou deny to former times a tear,  
And learn, unmoved, that I am deadly cold,  
When strangers tell thee of my sable bier,  
And say they heard my solemn death-bell knolled,  
And saw me shrouded in my last pale fold;—  
Or haply say, uncertain, "there was one  
Of silent, pensive melancholy, there,  
Of whom we know but by his nameless stone,  
He lived in desolation, and is dead and gone?"

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## THE FOURTEEN GEMS.—A HINDU LEGEND.

## I.

AWAKE from thy lethargic sleep,  
 In gory blood thy fury steep ;  
     Conscience ! awake,  
     Thy terrors take,  
 And hurl within the heart thine angry spear !  
 Ye ministers of wrath draw near,  
     And join the vengeful synod of the skies !  
 Ye murd'rous imps, upon the tempest burst,  
 The magic durance of your fetters burst !  
     Azyruca,<sup>1</sup> rise,  
     And ready for a deathful deed,  
     On wings of madness speed !  
     Impatient of commands,  
     The milk-white Nandi<sup>2</sup> stands,  
     And pawing, pants to bear his ling'ring lord.  
     With one tremendous crash  
 Dead Siva mounts, and grasps the rein ;—  
     He sounds the quiv'ring lash,  
     And at his vengeful word,  
 Destruction hovers o'er his land train,  
     From his central eye  
     Volcanic flames fly ;  
     The Damarus<sup>3</sup> sound,  
     The skulls rattle round  
 His horrid neck, by encling snakes entwined,  
 In HIM are all the MIGHTY THREE combin'd :  
     And brandishing the Trisula,<sup>4</sup> he goes  
     To gather laurels from the field of woes.  
     His Sacti<sup>5</sup> on the God attends,  
     A willing course to blood she bends ;—  
 In fearful awnings o'er their direful heads,  
     Th' obedient Heav'n a flaming Prab'ha<sup>6</sup> sends.

## II.

Terror, before him, shakes the warlike lance,  
 And fell confusion issues from his glance ;  
 Before him, Brahma wraps his eyes in sleep,  
 And years on years in sad oblivion creep.  
 Meanwhile, Hyagriva<sup>7</sup> sought the listless pole,  
 And from his lips the sacred Vedas stole,

<sup>1</sup> The Queen of the Nagas, or Serpents.

<sup>2</sup> Vrishha, Siva's Bull, called also Nandi.      <sup>3</sup> The drums beaten before him.

<sup>4</sup> The trident.      <sup>5</sup> His consort, or personified energy.      <sup>6</sup> A Nimbus.

<sup>7</sup> A Daitya.

And Patala<sup>8</sup> in dread array  
 Sent forth its fiends to upper day.  
 The Demons rage :—the Earth astonish'd flees,  
 And lies immerg'd beneath the wond'ring Seas.  
 Indra<sup>9</sup> bursts through the dark'ned skies,  
 And bids fierce hurricanoes rise.  
 The Queen of Death sits on th' abyss,  
 And Yama's<sup>10</sup> serpents round her hiss;  
 Evolved from her lips a venom'd train  
 Tumultuate o'er the sea's tempestuous plain.  
 'Tis darkness all, save where the lightning's glare  
 Displays the fiends, who crowd th' empoison'd air,  
 Save where each flash the sable hosts betray'd,  
 Which prowld along in that continued shade.  
 Then, fierce Varuna<sup>11</sup> laves the thund'ring clouds,  
 While mist on mist his angry bosom shrouds,  
 Pavan<sup>12</sup> in me, the mighty tempest sent,  
 While clap on clap the heav'nly conclave rent;  
 These join'd with hellish pow'rs, in boist'rous mirth,  
 Rave on the desolate ruins of the Earth.  
 Yet, short their rage, Narayan's<sup>13</sup> eye  
 Darts through the gloom—the cohorts fly :  
 The God in Matsya-form<sup>14</sup> conceal'd  
 His own almighty will reveal'd,  
 And bursting forth in myriad rays,  
 Bade a new Kalpa<sup>15</sup> sound his praise.

## III.

Spirit of Thought! 'tis thine to tell  
 The theme with which th' Immortals swell,  
 To sing what time the heav'nly choir—  
 Where Men's<sup>16</sup> top of gorgeous fire  
 Transfixes Heaven—in council high  
 Sat musing 'midst the boundless sky.  
 Pure gold<sup>17</sup> adorns its glittering side,  
 But, 'round it hostile snakes abide.  
 There, trees with fruits immortal grow,  
 There, birds their various notes bestow;  
 To grace this ever-blooming seat  
 Both Devas<sup>18</sup> and Gand'harvas<sup>19</sup> meet;  
 There, all the sons of Heav'n repair:  
 There, healing plants embalm the air:  
 Harmonious streams in verdant grove,  
 Meand'ring, mark the maze of love;  
 Its breadth and height outstrips the ken,  
 However vast, of mortal men.—  
 To this bless'd mount the heav'nly train  
 With all the tribe of Sûras<sup>20</sup> came;—

<sup>8</sup> Hell.    <sup>9</sup> The God of the Firmament.    <sup>10</sup> The King of Hell.

<sup>11</sup> The God of the Sea.    <sup>12</sup> The God of Tempests.    <sup>13</sup> Vishnu.

<sup>14</sup> The Matsyavata, when he assumed the form of a fish.

<sup>15</sup> An age or æon.    <sup>16</sup> A Paradaical mountain.    <sup>17</sup> A Hindoo description.

<sup>18</sup> Good spirits; *Dev.*    <sup>19</sup> Celestial choristers.    <sup>20</sup> Good spirits.

With holy contemplation fired  
Each god his brother-god inspired,  
How best to gain their Amrit lost,  
The bev'rage of th' Immortal Host.  
When Kishikesha<sup>21</sup>:—" Gods, attend !  
No vain delusive words I send ;  
Herbs sanative and fragrant throw,  
And churn Kshiroda's<sup>22</sup> waves below ;  
Thus, whilst its haughty billows rave,  
And Mandar's<sup>23</sup> top in fury lave,  
Uprising from its troubled tide  
Your eyes shall view the nectar glide."

IV.

Straight to his task each Deva hied,  
And Mandar's groaning basis plied,  
That rock-like mount ! whose awful head<sup>24</sup>  
With clouds on clouds o'errolling spread,  
Like burnish'd gold of flaming hue,  
Burst dazzling on the startled view.  
The twining creeper's tendrils hung  
Around the nests, where warblers sung,  
From which Kerûra's<sup>25</sup> magic strain  
Flow'd downwards thrilling to the plain,  
Whilst at its base the tigers howl,  
And bears and lions harshly growl :  
(Not this discordance can confound  
The charm of that melodious sound,  
Which Kinnaras<sup>26</sup> and Apsars<sup>27</sup> raise  
To Kishikesha's boundless praise,)  
So far beneath the earth it lies,  
As up it rises to the skies.  
What Deva, then, of matchless sway,  
Can hope to bear the mount away !  
What spell can move ! what pow'r avail !  
When ev'ry Deva's labours fail ?  
For Mandar still their force withstands,  
And braves the Gods' united hands,  
Like some vast rock, which billows dash,  
And angry whirlwinds idly lash ;  
Or, like the Swerga-throne<sup>28</sup> on high,  
Which, though loud thunders rend the sky,  
And Heav'n's due element'ry roar  
Whirl forth the bolts it holds in store,  
Stands like a God, who views each dart  
Innocuous from his casque depart.

<sup>21</sup> Vishnu.

<sup>22</sup> The milky ocean.

<sup>23</sup> The mountain with which it was churned.

<sup>24</sup> A Hindoo description of it.

<sup>25</sup> An Indian bird of equal celebrity with the Persian bulbul.

<sup>26</sup> Celestian dancers.

<sup>27</sup> The same.

<sup>28</sup> Indra's throne in the firmament.

## V.

Shout, Devas, shout! ye tuneful choir  
 Strike, sweetly strike, the heav'nly lyre!  
 In glorious garb, with flaming eye,  
 Hari,<sup>29</sup> the mighty God, draws nigh;  
 Unbarred stands the fount of light,  
 Bare lie the barriers of the night:  
 The ether trembles at his nod,  
 And glit'ring Mandar owns its God.  
 Beside him, from the realms above,  
 Ananta's<sup>30</sup> sinuous windings move,—  
 One grasp of that tremendous arm,  
 Which curls the wave, and checks the storm,  
 The ponderous mount on Kurma<sup>31</sup> laid,  
 And to the milky sea convey'd.  
 'Round it the dreadful Naga<sup>32</sup> coiled,  
 And with his head the Devas toiled  
 To whirl the mount, and churn the deep,  
 Where Samb'hu's<sup>33</sup> long lost treasures sleep.—  
 Creation shook:—Varuna rose  
 In tumults of unending throes;  
 Even Patala's recesses groan'd,—  
 Its Elephants<sup>34</sup> in anguish moan'd;  
 Whilst Hydra on the Serpent pled,  
 And awful Siva with him vied;  
 Whilst Daityas<sup>35</sup> stood in long array,  
 And labour'd for a year and day,  
 And eager for th' immortal prize,  
 Join'd the blest legions of the skies.  
 The wond'ring Heav'n bent down to view  
 The toilings of this motley crew.

## VI.

From Siva's lucid ringlets flow  
 The sacred Ganges'<sup>36</sup> streams below;  
 There, omnipresent Vishnu bears  
 The mount, and yet the labour shares,  
 And, seated on the summit, views  
 How ev'ry God his task pursues.  
 His sight pervading ev'ry place,  
 Outstrips each thought, and fills each space,  
 And proves that all things wait the nod  
 Of Vishnu, the preserving God.  
 Vasuki's<sup>37</sup> mouth in anguish hiss,  
 He climbs the mount, and stirs the abyss;  
 Dark streams of smoke and liquid fire  
 Ebulient from his head perspire.

<sup>29</sup> Vishnu.<sup>30</sup> Vishnu's serpent.<sup>31</sup> The Kurmavata, or Vishnu's descent in the form of a tortoise.<sup>32</sup> The serpent.<sup>33</sup> Amrita.<sup>34</sup> These are fabled to be the pillars of the earth.<sup>35</sup> Evil spirits.<sup>36</sup> The Ganges was fabled to flow from Siva's ringlets.<sup>37</sup> The serpent Ananta.

Pent winds, which swell the pregnant cloud,  
Whose shades th' etherial concave shroud,  
With lightning barb'd and pelting rain,  
Descend upon the wearied train.  
Kshiroda, proud of heart, rebels,  
And from his angry bottom swells;  
The curdling froth 'thick 'round them flies,  
The creamy waves on waves arise;  
So dire his rage, so dread the roar  
Of breakers bursting on the shore,  
That not the thunder's loudest sound,  
(Though Heav'n and Earth alarm'd rebound,  
Though all the firmament explode,  
And shiver'd fall the Gods' abode—  
Although the gaping Earth display  
Th' infernal regions to the day,)  
Could with those foaming mountains vie,  
Which war against the daunted sky.

*(To be continued.)*

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THE MEXICANS A CHINESE COLONY—ANALOGY OF MEXICAN  
AND HINDOO ANTIQUITIES.

It is impossible not to be surprised and somewhat humiliated in discovering that the Mexican Indians, from a very remote period, have possessed an astronomical system in their division of days, months, years, and centuries, which, far from being inferior to, actually excels, that of the most polished nations of the world. It is in vain that sceptics, on the score of American advance to civilization, resort to Greece, to Rome, and to Egypt, in order to divest the Mexicans of the superior talent and research necessary for this arrangement. From the earliest times in Chaldea, in Greece, in Rome, and in Egypt, the zodiac was distributed into twelve signs, and the year into twelve months, averaging thirty days. This fact would seem to go to establish a connexion between the Mexicans and the Chinese. Indeed, the calendars of each country strikingly agree; for both nations have no more than 360 days to the year, which they distribute into eighteen months of twenty days each; both (as Acosta states with regard to the Mexicans) begin their year on the 26th of February, and both add five intercalary days to the end of the year. They were spent among the Mexicans, as well as in China, and throughout the entire East, in eating, drinking, and diversions. It is not improbable from this circumstance, as well as from their hieroglyphical system, and the Asiatic character of their deities, that the Mexicans might have been a Chinese colony driven out by the irruption of Tartars, which took place under the Tartar Emperor Coblai, in 1279, a period which agrees with the date of the traditional commencement of the Mexican monarchy.

The astronomical wheel, preserved in a painting in Mr. Bullock's Museum, bears us out in the high estimate we take of Mexican proficiency in astronomy; and the painting illustrates the sculptured cycle of time in the same museum. It is remarkable that Robertson ('History of America') casts doubts on the authenticity of the chronological wheel, representing the manner in which the Mexicans computed time, which was copied by the unfortunate Boturioni, and a specimen of which was published by Carrieri. "If it be genuine," he coldly says, "it proves that the Mexicans had arbitrary characters which represented several things besides numbers." The original of this chronological wheel, to which Acosta also refers, is evidently that in Bullock's Museum. In the inner circle the eighteen months are represented by their appropriate symbols, and in the outer, the cycle of fifty-two years is represented in the precise characters described by Acosta: the first year being Tothil, or the rabbit; the next, Cagli, or the house; the third, Tecptl, or the flint; and the last, Acatl, or the reed.

The cycle, in question, is evidently constructed so as to represent a wheel. Now, wheels are common ornaments of Hindoo temples, and are constantly seen in the hands of Indian, Chinese, and Tartar deities. The sun, in the form of a human face, is placed in the centre, and it is surrounded by a symbol, universal throughout the East, of the two conflicting serpents of light and darkness, of good and evil. The planetary battlement with the eight houses of the planets, which constitute the third circle out of seven, exhibit the same astrological theory which was current in Persia, India, and Chaldea, and which is preserved in the Rabbinical Lephroth of the Jews.

In Del Reo's 'Description of an Antient City discovered in Guatemala,' the costume is very similar to that of the antient Indian statues of Elephanta, Ellora, and Canara. Mexican heroes are represented as enthroned on couches of Hindoo form; their mode of sitting is decidedly Hindoo; the armlets and anklets, the lip and ear jewels, are all of Indian extraction; the square temples surmounted with three fire vases have great analogy with those of Japan; their high-places for sacrifice, ascended by steps, and crowned by a balustraded area enshrining the worshipped divinity, are clearly of Chaldean and Asiatic origin; their pyramids of graduated stages, surmounted by shrines of the Sun and Moon, resemble the pyramidal fire temples of India and Japan; and the more antient of the many-zoned pagodas of China. They are, at all events, of purely Asiatic character; and the great pyramids of Cholula, Otumta, and antient Mexico, the two former of which exist, have been already supposed by the learned to have been constructed after the traditional model of that of Belus at Babylon. It is certain that they were surmounted by shrines, and were built like that in successively narrowing and graduated stages.

## HISTORICAL SKETCH OF THE RISE AND PROGRESS OF THE BRITISH POWER IN INDIA.

### No. VI.

By the expulsion of the French from the Carnatic, and the elevation of Mahomed Ali to the sovereignty of that province, events almost beyond their hopes, the English beheld themselves the real masters in all that part of India. The difficulty now was, to determine in what proportion the advantages of success should be divided between them and the Nuwaub. During the war, they had constantly proclaimed Mahomed Ali's indisputable right to the throne, and represented themselves not so much his allies, as the disinterested assertors of right and justice. But the contest being closed, their enemies removed, and the Nuwaub himself become their dependent, their adoration of right and justice began to cool, while the cupidity enkindled by the near prospect of gain, usurped entire possession of their minds.

Before the surrender of the French in Pondicherry, according to conditions agreed upon between the Nuwaub and the English, the former was to pay annually to the Company twenty-eight lacs of rupees, until the expenses of the war should be entirely paid off; the East India Company were not to countenance the disobedience of the local Governors, suffer their officers to interfere in the affairs of the country, hoist their flag on any fort, or refuse to assist his officers in the collection of the revenue. Other conditions also were stated, but these were the principal. As soon, however, as the war was concluded, the President and Council, perceiving the dependent condition of the Nuwaub, and his inability to resist oppression, presented a demand for fifty lacs of rupees, which, being unable to evade, the wretched prince, by encumbering himself with obligations and debts, complied with. Next he was required to repay the expenses of the siege of Pondicherry; and to this likewise he agreed, on condition that he should receive all the stores taken in the place. Of these stores, however, he was entirely defrauded by the rapacity of the Company's servants, and the base connivance of their masters.

The Carnatic having for many years been ravaged and devastated by war, and plundered by subordinate tyrants, was now too poor by far to furnish the Nuwaub with adequate resources; and therefore, being pressed by the exorbitant demands of the Company, he began to count upon the riches of his neighbours, the Governor of Vellore, and the chiefs of Tanjore, and the two Marawars. Vellore lay in the Carnatic territory, but the others were independent principalities, sometimes compelled to pay tribute, but never formally incorporated with the Mogul empire. The forces of Mahomed Ali being entirely inadequate to the conquest of these districts, he applied for the Company's aid, and obtained their co-operation in the reduction of Vel-



lore. But the riches of this place falling far short of expectation, the English began to abate of their eagerness for war, recommended negotiation, spoke of the King of Tanjore as a sovereign prince, and, finally, offered themselves as mediators between the two parties.

Though this mode of adjustment was peculiarly objectionable in the view of the Nuwaub, the Company despatched an agent to Tanjore with the terms of an agreement which they were resolved to confirm: certain arrears and tribute were to be paid the Nuwaub; certain districts ceded to the Rajah; but Mahomed Ali evincing great reluctance to ratify this treaty, Mr. Pigot, the Madras President, is said to have seized the Nuwaub's seal, and applied it to the paper. The sums extorted from the Rajah by this violent treaty being much smaller than it was thought the Directors at home would approve, the Presidency transmitted, as an apology for their moderation, a positive declaration of their utter inability to extort more. Nevertheless, as the money was to be paid to the Nuwaub, the Directors disapproved entirely of the transaction, and instructed the President to withhold the whole sum received as arrears from that chief, merely crediting him for so much in his account. They were, moreover, exceedingly displeased that the four lacs of rupees, to be given the Nuwaub as a present, had not been appropriated to the Company, and required some explanation from their servants on that head.

At this period, peace being concluded between France and England, it was stipulated in the treaty of Paris, signed Feb. 10, 1763, that the French should be put in possession of all the factories they had held on the coasts of Coromandel, Orissa, and Malabar, at the beginning of 1749; while they were to restore to Great Britain their acquisitions on the same coasts, together with Natal and Tapanouly, in Sumatra, and engage neither to erect forts nor keep troops in the subahdarry of Bengal. Mohamed Ali was acknowledged lawful Nuwaub of the Carnatic, and Salabut Jung the lawful Subahdar of the Deccan.

The Company, still dissatisfied with the advantages they had obtained in the Carnatic, began now to contrive how they might, with the least appearance of violence, extort from the Nuwaub a jaghire, or grant of land, free from all deductions for rent. Mahomed Ali endeavoured for a while to resist their demands; but the Company, perceiving that the defence of the kingdom must entirely devolve upon themselves, and that without the possession of the revenue they should not be equal to the maintenance of a sufficient force, determined to submit to the charge of injustice and rapacity, and gradually seized upon the whole revenue of the country. However, the President was at first desirous that the donation should appear voluntary, and endeavoured to wheedle the Nuwaub out of his rights; but finding him rather backward, he passed from persuasion to menaces, refused to fulfil his own conditions of arrangement, insulted the Prince, and informed him, that it ill became him, who owed every thing to the Company, to make conditions with them.

The district of Madura, a country infested by rebel Polygars, and

almost constantly in a state of insurrection, was now under the government of Mahomed Issoof, who, though an active and vigilant chief, had not been able to restore entire tranquillity, or put himself in a condition to furnish the proper tribute to the Nuwaub. As his incapacity was construed into rebellion, the Nuwaub and his allies, ever faithful when any mischief was to be done, or any plunder acquired, marched against Madura in the summer of 1763. Mahomed Issoof, having failed in an attempt to open a negotiation with his enemies, resolved to stand on his own defence, and with admirable courage and perseverance, baffled the united efforts of the Nuwaub and the Company, compelled them to expend a million sterling in the siege, and, after the sacrifice of torrents of blood, to be at last indebted for their success to the treachery of one of his followers, who delivered his person into their hands. Madura was taken in October 1764. Shortly after this, a dispute between the Nuwaub and the King of Tanjore arose about the mound of the Cavery. The river Cavery branches off, a little above Trichinopoly, into two streams, one of which runs northward towards Devi-cotah, where it falls into the sea; the other flows through the kingdom of Tanjore, which, by separating into various lesser streams, it waters and fertilizes. But the two great branches, after a considerable separation, approach each other at a particular spot, and would, in time, mingle their waters, if not prevented by an artificial mound. This mound the King of Tanjore had the greatest interest in preserving,—the Nuwaub, in suffering to decay; and as the sovereignty of the country was possessed by the latter, he assumed the right of neglecting the mound. This dispute, after engaging the minds of men for some time, was terminated by the interference of the Company, who prevailed with the Nuwaub to relinquish to the King of Tanjore the right of repairing the mound.

We must now turn to the affairs of Bengal. When Lord Clive, with Mr. Sumner and Mr. Sykes, two of the persons who were to form the Select Committee, arrived, in May 1765, at Calcutta, he found that the causes which had induced the Directors to nominate a Select Committee had been removed; and as that irregular species of government was designed not to outlast the existence of these causes, he deliberated whether he should act according to the letter or the spirit of his instructions. The former course being most for his interests, as well as those of his colleagues, he was not, however, very tedious in his deliberations. He followed his instructions according to the construction most agreeable to his own views.

And here we cannot avoid making one reflection: in the whole course of human transactions, the Court of Directors is, perhaps, the only body of men who have had constantly to legislate for the *past*. Their decrees concern not existing things, these are to them future and unknown; and it may one day happen that they shall make laws in Leadenhall-street for an empire that shall have passed from them, regulate the monopoly of salt-pits no longer theirs, and recal a

governor-general, after he has been imprisoned by some victorious enemy, or lies cold and almost forgotten in his grave.

On the present occasion, Clive had been only four days in Calcutta before the Select Committee was formed, though two out of the five nominated members were absent. His excuse for this precipitation was the extraordinary corruption that prevailed among the Company's servants, which, with incomparable diligence, he investigated thoroughly, in all departments of the service, in the course of *four days*! Admirable despatch! It appears, however, that the light which conducted his researches with so much rapidity, was the certain knowledge that, without the discovery of some urgent necessity for assuming arbitrary power over the whole settlement, his views of self-aggrandisement must be frustrated. He was principally scandalized at the enormous presents received by the Company's servants, and bitterly complains in his despatches of their propensity to increase their fortunes by means of every species of oppression and rapacity. The Directors at home perfectly agreed with him in his notions of their servants' characters; attributed to them a conduct disgraced by the most fearful enormities; deprecated the means by which they acquired their vast fortunes; and, at once to remove those means, prohibited the inland trade.

However, the commands of the Court of Directors were treated with as little respect *then* as they are *now* in Bengal: the inland trade was continued with unabated vigour, presents were received, exactions were practised, and, so far as appears, without the reprehension or notice of the virtuous and considerate Governor-General. Still the covenants by which they agreed to relinquish the practice of extorting donations, was immediately signed by the Company's servants, with the exception of General Carnac, who being then in close treaty with the Emperor for a present, forbore to sign till he had received the two lacs of rupees.

Nujeem-ud-Dowla, the son and successor of Meer Jaffer, in the subahdarry of Bengal, no sooner heard of Clive's arrival in India, than he hastened to complain of the restraints which had been imposed upon him. His chief objection lay against the appointment of Mahomed Reza Khan to the office of Naib Subah. But Mahomed, who understood the character of the English, had secured himself friends by the distribution of nearly twenty lacs of rupees. These friends, however, happened at this time to be obnoxious to the resentment of the Select Committee; and the Nuwaub accusing Mahomed of dilapidating his treasury by these presents, and the Natives employed in negotiating the bribes, swearing they were forcibly extorted, Mahomed's advocates were discovered to be guilty of certain acts, upon the nature of which the Select Committee did not think proper to decide, but referred the matter to the Directors at home.

Close upon this transaction followed the entire stripping of the Nuwaub of the revenue and management of the subahdarry, and the appointment of his enemy, Mahomed Reza, and two other per-

sons; to the management of the pension which the Company now graciously allowed him in exchange for his sovereignty. These matters were finally arranged in July 1765, at a time when Clive was making a progress, like an emperor, through his dominions.

The army, formerly described in operation against the Nuwaub of Oude, had at this time advanced considerably into his territories; and though the Court of Directors afterwards condemned the arrangement now entered into with the Emperor, by which he was to be put in possession of the dominions of Suja Dowla, and grant the country of Ghauzeepore to the English, the war with the Vizier was prosecuted with great energy. Suja Dowla, unable to obtain any effectual succour either from the Rohillas or Mahrattas, was altogether unequal to maintain a long struggle with the English, and being defeated by General Carnac in a battle fought near Corah, was necessitated to throw himself upon their generosity, and place his person in their hands. As, upon calculation, it appeared that no advantage would arise from perpetrating treachery upon him, he was politely received; and, on engaging to pay his conquerors fifty lacs of rupees to defray the expenses of the war, he had his dominions restored to him, with the exception of Corah and Allahabad, two districts which the English obtained for the defrauded and insulted Emperor. The Nuwaub of Oude was indebted for the restoration of his dominions, to the belief that his country was not worth taking from him, and that, as he had shown considerable ability, he might prove a powerful ally against the Mahrattas and Affghauns. A rebel subject of the Nuwaub's, who had assisted the English against his master, was secured by treaty from his resentment. Of the tribute, formerly guaranteed to the Emperor by the English, as the imperial revenue from Bengal, Bahar, and Orissa, thirty lacs remained unpaid; a portion of this tribute was to be compensated for by jaghires, the remainder, twenty-six lacs, was to be paid in money. He was now told by Clive, that the arrears of tribute would not be paid him; that he must relinquish his right to the jaghires; and in gratitude for the pension allowed him by the Company, (for his revenue could be no otherwise considered,) he must grant them the custom-dues, by imperial firman, of the three provinces of Bengal, Bahar, and Orissa, together with all the territory which the Company possessed throughout the Mogul empire. It should be observed, that Clive did not forget, on this occasion, his own jaghire, which he had agreed, before his departure from England, should revert to the Company after ten years' payment.<sup>1</sup>

When Clive had transacted these important affairs, he returned to Calcutta, September 1765; and in conjunction with his colleagues of the Select Committee, took into consideration the orders of the Directors respecting the inland trade. The principal articles of this trade were, salt, betel-nut, and tobacco; the former two important, the latter inconsiderable. With great policy, and profound deference

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<sup>1</sup> During this summer, the French restored their settlements in Bengal.

for the authority of the Directors, it was determined to abandon the tobacco-trade, as it yielded no profit, and to retain that in salt and betel-nut, from which great emolument accrued. But an order was issued, that the Natives should no longer be compelled, by any law or regulation, to buy and sell at whatever prices the Company's servants might choose to fix.<sup>2</sup>

The Directors at home, acknowledging their inability to frame regulations for the inland trade, and even admitting their ignorance of the subject, wrote two letters in the course of 1764, directing the Committee to consult the Nuwaub on the affair, and upon his suggestion, to frame some plan for carrying it on equitably; and to transmit this plan to England for their examination. These letters duly arrived, were read, and, as usual neglected. The servants continued to push the trade as much to their own advantage as possible; and, when Clive arrived, the only change effected was to convert what before had been open to all, into a monopoly for the benefit of Clive himself and two other members of the Select Committee. They entered into a confederacy against the pockets of the Natives, bought up large quantities of salt, and realized in nine months an interest of forty-five per cent., the reward of shameful and pilfering monopoly. Copying the Great Leviathan of Leadenhall-street, a species of Trading Club was formed at Calcutta, consisting of the Governor-General, the members of the Select Committee, and of various other military, clerical, and mercantile adventurers. This motley association, self-constituted, and entirely illegal, determined among themselves to tax the wretched table of the Hindoo peasant, to regulate the price of his salt, and the puffs of his hookah; and this they did, under pretence of screening the Native from worse oppression! To do justice to the Directors of that day, they disapproved of this base confederacy, and sent out positive orders for the abandonment of the inland trade; but as all their servants, and especially the highest, were deeply interested in disobeying them, their orders were contemptuously slighted, and the trade persevered in.

The Private Trade Society being established, the Select Committee directed their attention to the reformation of abuses; members of Council, instead of applying themselves to their official duties, had hitherto been accustomed to accept chiefships of factories in distant stations, where they practised the greatest enormities, and succeeded by their rank in screening themselves from accusation. In the meanwhile, the business of the Presidency, confided to young inexperienced persons, was abandoned to embarrassment and neglect. This practice the Committee abolished. Their next measure, a measure originat-

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<sup>2</sup>The same practices have prevailed in all foreign colonies. Tacitus (*Life of Agricola*) observes, that before that General's time, the Britons had been compelled to submit to the same species of oppression which they themselves now inflicted on the Hindoos; and when their own corn had been deposited in the provincial granaries, which were in the hands of the Imperial Procurator, "per ludibrium assidere clausis horreis et emere ultro frumenta, et vendere parvo cogeantur."

ing more in pique than policy, was to exclude from immediate promotion all the Company's servants in Bengal, excepting members of Council, and supply all vacancies by gentlemen from the other Presidencies. This, as might have been expected, was productive of violent animosities and jealousies, and, to all appearance, inflamed the passions without correcting the faults of those on whom it was meant to operate.

From these civil regulations, Clive proceeded to reduce the extra-allowances of the military, (in the language of the country, *batta*, and *double batta*,) which were originally intended as an indemnification for field expenses. The Company, ever on the watch to abridge the advantages of the army, had earnestly pressed upon Clive the necessity of reducing the extra-pay of the officers; and that ready agent rigorously fulfilled their suggestion. As soon, however, as the Governor-General's determination was made known to the troops, who thereby beheld themselves reduced to be the mere instruments of fortune in the hands of the civil service, a confederacy to resist the execution of the measure was formed, above two hundred officers binding themselves under a penalty of 500*l.* to resign their commissions before June 1766, and never to return to the service, till double *batta* should be restored. The lives of such officers as a court-martial might condemn to death, were to be preserved at the hazard of all; and whatever expenses were incurred in the prosecution of the enterprise, a subscription, immediately entered into, was to defray. To this subscription, the civil service itself, in the interior as well as in the Presidency, was understood to have contributed. A revolution was threatened; and, before Government heard of the plot, time enough had elapsed to have changed, in daring hands, our Oriental despotism into an independent republic. At length the dark affair was disclosed to Clive, who at first was incredulous, but quickly became apprised of the extent of the danger. The news of the conspiracy was accompanied by the intimation that a vast army of *Mahrattas*, sixty thousand, as was reported, hung on the frontiers of *Corah*, not more than 150 miles from *Allahabad*. It was to be apprehended that they would gain intelligence of the mutiny, and pour down in torrents on the defenceless frontiers. No one knew whether or not even the *sepoys* were firm in their obedience. Fear and consternation were general. The public safety was endangered. Notwithstanding, as Clive had still a few officers in his suite upon whom he might depend, and believed that some few more might yet be found in *Calcutta*, as well as that many free merchants might accept of commissions, he despatched to the other Presidencies the most urgent commands for all officers that the public safety could possibly spare to be sent to Bengal, and hastened towards *Mongheer*. By the instructions forwarded to Colonel Smith, the commanding officer at *Allahabad*, we learn that it was Clive's intention, had matters come to extremities, to comply with the demands of the officers. But first he tried what could be effected by firmness and intimidation. The *sepoys* appearing to be entirely faithful, complete reliance was

placed upon them, and it was determined, in case of general mutiny, to put every European soldier to death by their ministry. However, when matters came to this extremity, the officers lost courage, submitted to the Commander-in-Chief, sacrificed what they considered their rights, and, in defiance of their penalty bond of 500*l.*, accepted commissions, and tamely saw a number of their most intrepid comrades tried and cashiered !

This dangerous disaffection being quelled, Clive proceeded to Choprah, to treat with Suja Dowla, the Minister of the Emperor, and deputies from the Mahratta chiefs. Suja Dowla, fully satisfied with the treaty he had concluded with the Company, now paid the remainder of the sum he had promised as the price of peace ; and undertook to form a treaty for mutual defence between the Emperor, (who had now been treating with the Mahrattas,) the Company, and the Jaat and Rohilla chiefs. While these things were transacting, Nujeem-ud-Dowla, the Nuwaub of Bengal, died, (by poison, as was suspected,) and was succeeded by his brother, Syeff-ud-Dowla.

During this year, the Select Committee understanding that the Native merchants charged large prices for the salt they purchased at the Company's sales, enacted a law to suppress this enormity, and fined them for their past exorbitancy. They likewise arranged the business of the inland trade for another year, in the teeth of a positive and peremptory order from the Court of Directors for its total discontinuance, and directing that all persons engaging in it should be forthwith transmitted to England, to be proceeded against for breach of covenant. These orders were treated with scorn and derision by Clive and the Select Committee, who urged, in defence of their disobedience, that the Directors were ignorant of the state of affairs in India, and commanded what it would be folly to perform. That the Directors were ignorant of the line of policy suited to Indian affairs was true ; they have *always* been in that predicament ; but the refusal of the Select Committee to obey their positive injunctions was, nevertheless, an act of rebellion. The actions of men who, like the East India Company's servants, govern a country for the single purpose of enriching themselves, are always fluctuating and uncertain. New prospects of gain generate new systems of policy or extortion ; laws are altered, not with any view of rendering justice more accessible, or rights more secure, but as the law-mongers change their views of profit and advantage.

It was now resolved by the Select Committee that salt should no longer be conveyed into the interior, but be sold at Calcutta, leaving to the Native merchants the business of distributing it through the country, which was found to be very troublesome and expensive. A proposition was also brought forward by Clive for prohibiting all future Governors-General and Presidents from engaging in trade, and securing to them, instead, a commission upon the revenue, with which they were to bind themselves on oath, and in a large penalty, to be satisfied. To the Select Committee and Members of Council the usual sources of gain were left open ; it being thought of little import-

ance whether they bestowed their time and cares on the public concerns or on their own.

In December 1766, letters from the Court of Directors arrived at Calcutta, once more commanding the immediate abandonment of the island trade, which was to be left entirely to the Natives, and declaring that all persons engaged in the society formed for carrying it on should be held responsible for breach of covenant. This threat proved effectual, but its operation was not immediate; the society had made arrangements of gain, which it would not relinquish, and deferred the close of its operations till September 1768. Immediately after the arrival of these orders Clive resigned. He had been empowered by recent instructions from the Directors either to suppress or continue the Select Committee, and, from some motive or other, decided for its continuance. The members he nominated were, Mr. Verelst, Mr. Cartier, Colonel Smith, Mr. Sykes, and Mr. Beccher. Verelst was to be Governor, and he took the oath on the 17th of February.

In England, the most magnificent rumours of our Indian acquisitions were circulated, partly by the industry of Clive, who contrived to profit largely by it; the cupidity of the Proprietors was roused; they demanded to share in the good fortune that had attended the arms and policy of their Bengal servants; and, in May 1766, actually raised the annual dividend to twelve and a half per cent. This occasioned the interference of Parliament; and, in November 1766, a Committee of the House of Commons was formed to inquire into the affairs of the Company. They seemed to have acquired a sovereignty in India, which subjects are not competent to do, unless for the nation; and now that the attention of Parliament had been directed to this quarter, it was practically decided that the legislature had a right to control and command the Company in the distribution of their own money; and an Act was passed, directing that, after June 1767, dividends should be voted only by ballot, in general Courts purposely assembled, and that before the next session of Parliament no dividend should exceed ten per cent. By another Act, the Company was necessitated to pay annually 400,000*l.* into the public exchequer, in consideration of holding the territorial revenue for two years.

With respect to Clive, he obtained for ten years the produce of his jaghire. During his last administration, he had, it was found, obtained five lacs of rupees from Nujeem-ud-Dowla, which he pretended was a legacy left him by Meer Jaffier. Having obtained the money, dread of inquiry disquieted his mind, and, in order to avoid the effects of certain detection, he determined to appear benevolent, and with this illegal wealth actually founded an institution for invalids at Poplar. Nujeem-ud-Dowla was likewise prevailed upon to bestow three lacs more in furtherance of the scheme.

In his notions of government, Clive was a jesuitical despot, full of petty expedients, cunning rather than politic, totally destitute of principle. The degree of success which attended his administration, was owing to his promptitude and vigilance, not to any enlarged views



or clear political prudence. He gathered wealth at the expense of futurity, by expedients, apt and shrewd for the moment, but productive in the long run of embarrassment and distress. On his departure from India he bequeathed to his successors a system pregnant with danger and difficulty: the Natives were to be deluded and oppressed; the English screened constantly from punishment, however guilty. From this arose, in the English, insolence and rapacity; in the Hindoo, hopelessness and relaxed industry. Thence general poverty ensued, and the Company's treasury shrunk daily. Notwithstanding this, Clive succeeded in impressing the Company and the public at home with the belief that India was an exhaustless mine of wealth; the Directors, therefore, dazzled by the splendour of his falsehoods, and too ready of their own accord to believe what they so ardently desired, were rendered less circumspect in the management of their resources, and by their credulity helped to increase their own disappointment.

The Governors-General who succeeded Clive, and filled the chair till the appointment of Warren Hastings, appear to have been weak and indolent individuals. During their administration, the incapacity of Suja Dowla, and the internal dissensions which agitated the Mahrattas, spread a calm on the transactions of Bengal, which might have been expected to produce public wealth and prosperity. On the contrary, however, the financial difficulties of the Company increased during that period in an alarming manner, and the true causes remained hidden from all parties.

Nothing of importance was achieved during many years: an expedition was undertaken against Nepaul, a mountainous and almost inaccessible country, which terminated most unsuccessfully. The inland trade was abolished, together with the commission on the revenue, formerly established by Clive; but in some measure to make compensation to their servants, the Company granted a commission of two and a half per cent. on the net produce of the Dewanee revenues, to be divided among them in proportion to their rank.

Difficulties now began to press upon the officers of the Company's Government in Bengal. It was thought indispensable to watch the designs of Suja Dowla, and the Directors had sent out express orders to withdraw the brigade from Allahabad, and to confine the operations of the Company's army within the limits of its own territory. These orders were disobeyed. Pecuniary embarrassment, a chronic disease in the East India Company, was almost at its height; debts owing to individuals could not be liquidated; the sums necessary to be advanced for the proper carrying on of government could not be raised. In this emergency, the Presidencies of Fort William and Fort St. George mutually explained the dangers of their position, and spoke of the necessity of establishing some public fund against future contingencies. At the former Presidency, during the summer of 1769, it was determined, that the only means of creating such a fund was, to diminish the investments for England that year; and even this resource was found to be insufficient, as in the October of that year a very large

deficiency appeared in the balance of receipt and expenditure. To supply this, and provide for present wants, the Government of Bengal was compelled to borrow large sums, nay, whole fortunes, from individuals, giving them bills on the Directors in England. This embarrassed the Directors: sometimes it might be inconvenient to honour these bills; and in such case the Company's credit must suffer. They therefore disapproved of this practice, and sent out orders that money should rather be borrowed at interest than bills granted on them.

The practice of granting individuals who had money to transmit to Europe, bills on the Directors at home, being in part laid aside, such persons as wished to avail themselves of that safe mode of conveyance, and could not obtain the Company's bills, betook themselves to the French and Dutch Companies. The Governor-General of Bengal considered this a severe grievance, and was persuaded that it greatly tended to impoverish the English Indian territories, by decreasing the currency. Considering the conduct of the Directors at home as highly censurable, and foreseeing no means of extricating the affairs of the Presidency from confusion and difficulty, Mr. Verelst resigned his office in December 1769, and was succeeded by Mr. Cartier.

We shall now pass to the affairs of the Carnatic. That country remained but a short time undisturbed. In the Deccan, Nizam Ali, in the summer of 1761, dethroned and imprisoned his brother, and usurped the sovereign power. The absurdity of expecting good government for India from authorities deliberating in Europe, was illustrated by the treaty at this time entered into between France and England; for there, in 1763, Salabut Jung was acknowledged Subahdar of the Deccan, nearly two years after he had been dethroned and succeeded by another. In the same treaty, the French resigned the Carnatic, and this article was the cause of Salabut Jung's death, for now Nizam Ali hesitated no longer to murder him. And having by this means obtained supreme power in the Deccan, he meditated the enlargement of his dominions, and, in 1765, made a sudden irruption into the Carnatic. Exercising great barbarities in his march, he was met by the English and Mahomed Ali near the Pagoda of Tripetti. His army, however, was now paralysed by the approaches of famine; even water was wanting; he therefore avoided coming to an engagement, and, by a sudden decampment, eluded his enemies, and evacuated the country.

At this time Clive obtained from Shah Aulum, that shadow of empire, the grant of the Northern Circars, a maritime district which united the Company's possessions in the Carnatic to those of Bengal. These Circars were a portion of the Subah of the Deccan, upon which the Carnatic also had hitherto been dependent. But even this province was now rendered by imperial firman entirely independent of the Deccan, and bestowed upon the Nuwaub, Mahomed Ali, who was also honoured with the titles of Wallau-Jau and Emir-ul-Hind.

When General Calliaud marched to take possession of the Circars for the English, Nizam Ali was absent struggling with the Mahrattas in the country of Barad; but so soon as he learned the aim of the

English, he abandoned his expedition against the Mahrattas, and made preparations for invading the Carnatic. The Presidency was alarmed at this, and orders were despatched to Calliaud to suspend his warlike operations, and repair to Hyderabad to negotiate a peace. Accordingly, a treaty was concluded with the Subahdar in November 1766, by which the Company, who had obtained an imperial grant of the Circars, engaged to hold them of Nizam Ali, and pay a tribute of nine lacs of rupees. They further stipulated to maintain in readiness a body of troops for the service of the Nizam, and made him a present of five lacs of rupees.

Had the English correctly understood the position of Nizam Ali, whose troops were mutinying for want of pay, and scarcely pacified for a moment by the money they furnished the Subahdar, it is probable this treaty would never have been entered into. However, they quickly perceived the mistake they had committed, for after making use of them for the collection of the tribute from the Polygars, Nizam Ali, while yet on his march, entered into an alliance with their enemy, Hyder Ali, and uniting with his forces at Bangalore, began to make incursions into the Carnatic.

Hyder Ali was a soldier of fortune. From a subordinate station in the army of the Rajah of Mysore, he had risen to be sovereign of the province, not by mere good fortune, but by a series of crimes, policy, and daring actions, which at once gave him a name in India, and disciplined him for conquest and dominion. He was one of those men who owe nothing to what is called education; ignorant of writing and reading, unversed in the history of ancient policy, without preceptor, without counsellors, he rose by the mere energy of his own genius; and in a long-continued contest with the most civilized people upon earth, exhibited a facility in creating resources, a dexterity in negotiation, a capacity to procure allies, or to dispense with them, and a knowledge of war and daring in battle, altogether admirable and extraordinary.

He first came in contact with the English in 1767, immediately after his treaty with the Nizam. The causes of his hostility to them were twofold: the alacrity with which they had lately allied themselves with the Nizam against him, and the unprovoked attack they had made upon the district of Baramahl, a portion of his dominions, under pretence that it had formerly belonged to the Carnatic. Having now effected an alliance with Nizam Ali, by means of Maphuz Khan, the brother of Mahomed Ali, and an old enemy of the English, hostilities were immediately commenced. An English corps, under Colonel Smith, had followed the Subahdar of the Deccan into Hyder's dominions, but upon receiving intelligence of the Mysorean's designs, had separated from the Nizam, and retreated. Mahomed Ali, who very soon penetrated the views of the Nizam, had advised the English to attack his camp before Hyder could come up; but his advice was neglected, and Colonel Smith was attacked on his march near Chungamal, by the united forces of Mysore and the Deccan. He contrived, on the first attack, to repel the enemy, but

was obliged immediately after to trust his safety to the most rapid flight. After a march of thirty-six hours, he arrived at Trinomalee, where shutting himself up in the fort, he beheld the surrounding country overrun by the enemy, and laid waste with fire and sword. From Trinomalee, Colonel Smith marched, a few days after, to Calishy-Wacum, about ten miles farther northward. While he remained there, Hyder planned and executed an attack on Madras: a detachment of 5000 horse suddenly approached the place, which was taken by surprise; but being more intent on plunder than more solid advantages, they neglected to secure the persons of the English chiefs, then in their gardens without the town, by which they would have been in a condition to terminate the war almost as they pleased.

Nizam Ali, who began to be apprehensive of troubles in his own government, and whose resources were nearly exhausted, now began again to desire peace with the English. He disclosed his desire to Colonel Smith, who demanded that, in proof of his sincerity, he should separate his forces from those of Hyder. But the rainy season, during which these negotiations had been carried on, passed away before any thing had been concluded; and Colonel Smith, having received considerable reinforcements, reckoned himself sufficiently strong to attack the enemy, and marched towards them beyond Vellore. In the engagement which ensued, Hyder Ali and the Nizam were defeated, and fell back upon Caverypatnam. After this reverse of fortune, Nizam Ali hastened to make his peace with the English; and early in 1768, a treaty was concluded between the Subahdar, the Nuwab, and the English, in which Mahomed Ali's titles and grants were confirmed; the cession of the Circars repeated; the government of Carnatic Balaghaut, a country then in the possession of Hyder, made over to the English, who, on their part, were to assist the Nizam, as often as required, with a certain body of sepoys and six pieces of cannon, and pay the reduced tribute of seven lacs of rupees for the Circars.

The Madras Government were now raised by these successes to a high pitch of ambition. They meditated the conquest of Mysore, drew Mahomed Ali into their schemes, appointed him Phouadar of the country to be subdued, and afterwards, when sobered by adversity, accused him bitterly of ambition for accepting that very title. The army now sent against Mysore was accompanied by two Members of Council, as field-deputies, and the movements of the commander were to be regulated by them. During the summer of 1768, however, nothing considerable was performed, although Hyder, who was not thoroughly established in his new sovereignty, made overtures of peace. These were rejected by the Presidency with great haughtiness. His desire to terminate, or rather suspend the war, persuaded them that he felt himself unable to contend with their forces, and only inflamed their eagerness to strip him of his dominions. Nevertheless, Hyder was very far from being in the condition they imagined. He took the important fort of Mulwaggle, and repulsed the English Commander, who attempted to recover the place. Colonel

Smith, rendered dissatisfied by the control of the field-deputies, was now recalled, as was also Mahomed Ali; and the army, dispirited and weakened by sickness and desertion, became every day less active, while Hyder exhibited increasing courage and energy. He attacked and defeated Colonel Wood; and having before the end of the year recovered all the conquered districts, began his accustomed ravages in the Carnatic. In the district of Trichinopoly, in Madura, in Tinivelly, he appeared almost at once, devastating and plundering with the greatest fury. The English army was unable to follow the rapidity of his marches, or interrupt his incursions, which now extended over the whole northern division of the Carnatic. He obtained the alliance of the Rajah of Tanjore; and the greatness of his success at length determined the Madras Government again to oppose Colonel Smith to his ravages. This officer, by well-contrived movements, succeeded in embarrassing the operations of Hyder, but was unable to give any very important check to his projects. On the contrary, this skilful and daring chief having, by a succession of artful movements, led the English army to a great distance from Madras, turned suddenly round with a body of 6000 light cavalry, and marching 120 miles in three days, appeared, on the fourth, on the mount of San Thomé, a height overlooking the English capital. From thence he sent to inform the Governor, that he desired to enter immediately into a negotiation for peace, and demanded that the approach of the English army should be forbidden. Struck with consternation, the Presidency submitted to a peace, the terms of which were dictated by necessity. By the treaty they concluded, April 1769, a mutual restoration of conquests was stipulated, and Hyder obtained, in addition, the cession of a small district formerly cut off from the Mysorean territory. Besides this, they agreed to a mutual aid and alliance in defensive wars.

Both the war and the peace that terminated it, were violently disapproved by the Directors at home; and the apprehensions to which these unfortunate events gave rise, reduced the price of East India stock sixty per cent. In their letters to the Madras Presidency, the Directors indulged in the bitterest invective, accusing them of incapacity and pusillanimity. On the other hand, the Governor and Council sheltered themselves under the plea of necessity, alleging that they "were compelled to make peace for want of money to wage war." The invectives of the Directors, however, as far as regarded the treaty, were absurd, and founded on their ignorance. The Madras Presidency had undoubtedly been wrong in rejecting the former overtures of Hyder Ali; but, on the present occasion, they could not be said to act from choice. An enraged enemy was at their gates, ready, on the slightest provocation, to fire the defenceless town, and ravage and depopulate the whole country. That in such a position they decided on accepting the reasonable terms of their enemy, was by no means strange or disgraceful, unless, indeed, by contrast with their pompous menaces at the outset of the war,

## ON THE MARRIAGE CONTRACT IN INDIA.

THE knowledge of the manners and laws of other nations is only useful inasmuch as it affords us an example of the good or evil consequences arising from certain actions; we are enabled by this means to regulate our conduct by the experience of others, and to derive instruction from their errors and success. The great part of mankind are struck by particular examples, and comprehend more readily a chain of argument illustrated by the history and customs of other nations and other times, than that sort of reasoning which is founded upon *general* experience of the sensations to which we are subject. We ought, therefore, when wishing to instruct to take such examples, to point out their consequences, and the reasons why such results proceed from such actions. It is true, that the more philosophical and ready manner would be to abstain from such sort of particularizing; but he who wishes to be useful must sometimes deviate from this strictness, and endeavour to put instruction into such a form that it will be agreeable, and consequently be attended to. If we look to India then, as a means of instruction, we shall find an ample field over which we may travel; the mistakes of Indian legislators are a warning to all mankind, and are an excellent illustration of the evils that must arise from laws framed by persons totally ignorant of the means of making it the immediate interest of mankind to be useful to one another. We have chosen the marriage contract as it exists in India as an example of this. That marriage there is productive of much unnecessary misery no one will doubt. It may, perhaps, be useful to explain the reasons of these evil effects. The following quotation will show upon what conditions it is entered into:—

An almost unlimited power of rejection or divorce appears to be reserved to the husband. In the code of Gentoo laws, among various other ordinances to the same purpose, it is declared, that “a woman who dissipates, or spoils her own property, or who procures abortion, or who has an intention to murder her husband, and is always quarrelling with every body, and who eats before her husband, such woman shall be turned out of the house.” On grounds such as these, a man can never be without a pretence for dismissing his wife. But, on the other hand, we have seen that no species of barbarous treatment, not even desertion and sale, ever absolves the woman from her obligations to her lord.—*Mill's Hist. Brit. India*, B. 11. c. 7.

<sup>1</sup> It is but just to observe, that Mr. Mill seems to have known extremely little of the Hindoo law, which he abuses so unsparingly in his work. In this case, when inferring that a pretence could never be wanting for discarding the wife, he ought, in fairness, at least, to have stated whether or not the husband himself was to be the judge of the validity of that pretence. Sir Thos. Strange lays it down in his late work, that though bigamy was permitted, its supersession of a blameless and efficient wife, who has given neither cause nor assent, was illegal, and to be punished by the king with severe chastisement; that, since the commencement of the present age, the desertion of a woman for any offence whatever, less than adultery, was illegal, and

In short, the husbands are tyrants, the women slaves. The great point to be obtained in the marriage contract, is the happiness of the parties and of the children. That form which does this in the greatest possible degree is the best form. The means of making marriage a source of the greatest possible degree of happiness are the following :—To the parties : by allowing them the best means of making a correct choice ; by making them equal, and by giving them the greatest possible inducement to conduct agreeable to each other. The parties would have the best chance of making a proper choice when, to the most perfect freedom of choosing in the first instance, there was added the power of afterwards correcting any false judgment they might make, by allowing them, when they found themselves in error, immediately to rectify it by divorce. The parties would be equal when one possessed no privilege to the exclusion of the other. It must always be recollected in every calculation that is made respecting women and men, with regard to each other, that man is by far the stronger animal. If this be left out of consideration, our conclusions must necessarily be false. That which would place two persons of similar strength upon an equal footing, would not have that effect with persons of unequal forces. This observation we shall find to have an important effect, when we come to consider the different forms of the marriage contract. We shall find that woman, the weaker being, is not equal to man, the more powerful one, when she is placed in such a situation that she cannot escape from the ill-treatment of the man. The parties would have the greatest inducement to conduct agreeable to each other when they should be equal. If the happiness of the wife should be dependent on the husband, while that of the husband depends not upon the wife, inequality and misery would be created to a lamentable degree. The unhappy woman would be subject to the caprice and ill-humour of her powerful tyrant, and would become his slave, and not his companion, and he would consider her as the mere instrument of his pleasure. Knowing that she was totally subject to his power, and unable to punish or resist any ill-treatment or neglect on his part, he would be little solicitous whether his conduct conduced to her happiness or misery ; while she, aware that her

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consequently so punishable ; that a wife superseded, under whatever circumstances, even those of conjugal infidelity, must be provided for. If the husband deserted the wife without legal cause on her part, he was compelled to surrender to her a third part of his property ; and, like the English law, that of the Hindoo required fidelity on his part as much as on hers, and she might have her redress at law against him if he failed in this respect. But the Hindoo law was more liberal to the woman than the English law is—in allowing alimony even to an adulteress. Finally, that an English wife does in no case inherit to her husband ; and here also the Hindoo possesses an advantage over her, as she does likewise, perhaps, in the law of maintenance generally, as well as in *stridhara*, or a woman's exclusive property, to which the paraphernalia of an English one bears an imperfect resemblance. So much on authority ;—but, on the other side, we must remember that the English wife has the advantage of better courts of justice where she can seek redress, compared with which, the superior advantages of the Hindoo wife are but as dust in the balance.

happiness depended on her husband, and that it was her interest to please him, would in every action consult his inclination, and regulate her whole demeanour according to his will. The more she was dependent on him, the greater would be the chance of her misery; and the nearer he found her his equal, the more solicitous would he be to render his conduct agreeable to her.

As to the children, a law that provided for their support and education, according to the means of their parents, would be sufficient; the difficulty would be to regulate the matter so that the burthen of supporting them should fall equally on the parents.

It now remains for us to see what form of marriage would best ensure the happiness of the parties; and we shall find that the form adopted in India is one of the worst. The marriage contract may be entered into on the following conditions:

1. That it shall be dissolved at the option of either party.
2. That it shall be dissolved only with concurrence of both.
3. At the option of the husband only.
4. At the option of the wife only.
5. That it shall be indissoluble.

We will consider it immediately under the third form, that being the one adopted in India. We merely wish here to consider the effects derivable from the power of divorce—to learn how far it would add to the happiness of the whole society; for we think it will be found that it would remedy all the other evils that are the portion of that unhappy race, the women of India. Here we perceive, that the first condition which we have stated as necessary to make marriage conducive to happiness, does not exist, viz., the power of divorce at the option of either party. The husband has the power to rectify any mistake he may have made, but the consequences of this power conferred only upon one party are dreadful to the other. It ought to be given unconditionally, or not at all, at the option of either party, and not upon their concurrent desire; should it be made contingent on their concurrence, the man is immediately invested with the most absolute power. He can force the woman to give her consent when he desires it, but she has no means of compelling him to comply with her wishes. The greatest inequality, contrary to the second requisite we have mentioned, would then exist. But it may be urged, that an unlimited power of divorce would still confer a greater power on the man than on the woman; that by it, women would be left without support, and therefore men would be immediately arrayed in all those powers which are so prejudicial to the interests of women. This, however, need not be the case: for, first, the law might allow contracts to be made between the parties previous to marriage, and, in default of such contract, the law might establish a portion for the woman. As it would be difficult, perhaps impossible, to frame a general rule that would do justice in every particular case, a judge or public arbitrator might be appointed to establish what portion each should receive. The difficulty here, however, would not be so great as it appears: parties in such circumstances would uniformly settle beforehand the divi-



sion of property: experience proves this; for in those countries where the Roman law exists, and where separate property is allowed, a marriage, without a contract settling the division, is a phenomenon. No foolish stigma would then be affixed upon those who, wisely providing against contingencies, should settle the terms upon which, if they chose, they might afterwards separate. Secondly, it may be urged, that women lose the beauty of youth sooner than men, and that, therefore, men would be induced to separate themselves from them, and form new connexions. To this, however, there are many things to oppose. It must be remembered that connexions of long standing are not easily broken; that the company of those to whom we have been long accustomed becomes necessary to us, and that men would be in no haste to break off connexions which had for many years been pleasurable to them. The constant desire to please, that would have been acting on both sides for so long a time, would have rendered the parties more agreeable to each other than they are generally found where such inducement does not exist. What is it that creates the affection between parent and child, but, in the first place, being accustomed to the company of each other, and to mutual kind offices? The same things would exist between husband and wife; and we see, in those countries where marriage is indissoluble, parties who, were they able to separate, would not do so, even after many years connexion; and, indeed, could we suppose otherwise, we must believe that they are now living in a state of wretchedness. Again, pecuniary considerations would also be acting; the property would have to be divided, and would consequently be rendered less efficient. It would be difficult also for either party (for we think the danger as great to the husband as the wife) to find any person to form a connexion with one who would make such a separation; and women, under such a system, would find marriage more easily accomplished, and they would be more difficult to be obtained. All these circumstances would tend to prevent separation, supposing any superiority to exist between men and women at any age; a supposition, indeed, which we conceive it would be difficult to substantiate. We think, therefore, that the evil consequences attendant on this power of separation are few, if any; but the good ones are many, and of infinite importance. But we will suppose, for an instant, that a woman should be bound to a man that detested her, would her condition be more happy in being forced to live for ever with him, or in being allowed to be separated from him? In the former case, would he not have the power, and would he not exercise it, of making her completely miserable? Neglect and indifference it would be her portion to experience, without the possibility of escape: evil would thus be produced without any attendant benefit. But were she able to leave one who derives no pleasure from her society, and to seek for another who would be more inclined to render her life agreeable, her chances of happiness would be greatly increased, and the means would be in a greater degree under her own control—we can hardly believe that she would be as happy in the former as in the latter condition.

As to the equality of privileges between the parties, little more need be said. Few will be found to assert that any inequality ought to exist; therefore, the only difficulty is, to find out a means of establishing a perfect equality. The power conferred on the husband in India, is a proof of the little knowledge they possessed of the end of all social institutions—the greatest happiness of the greatest number. “The condition of women,” says Mr. Mill, “is one of the most remarkable circumstances in the manners of nations, and one of the most decisive criterions of the stage of society at which they have arrived. Among a rude people, the women are generally degraded; among civilized people, they are exalted. In the barbarian, the passion of sex is a brutal impulse, which imposes no tenderness; and his undisciplined nature leads him to abuse his power over every creature that is weaker than himself. The history of uncivilized nations uniformly represents the women as in an abject state of slavery, from which they slowly emerge as civilization advances.” “It is only in an improved state of property and security, when the necessities of life have ceased to create perpetual solicitude, and when a large share of attention may be given to its pleasures, that women, from their influence on those pleasures, begin to be an object of regard. In proportion as society refines upon its enjoyments, and in proportion as it advances into that state of civilization in which various corporeal qualities become equal or superior in value to corporeal strength, and in which the qualities of the mind are ranked above the qualities of the body, the condition of the weaker sex is gradually improved, till they associate at last on equal terms with man, and fill the place of voluntary and useful co-partners.”

Any thing we can add to these observations would be superfluous. It will be seen, however, that the most refined state of society would be that in which the women had in all circumstances equal privileges with the men. Allowing to either party the power of domineering, is to diminish human happiness; but to add strength to the party already possessing the greatest share, betrays an utter indifference to all such considerations. The degradation of the women in India is the consequence of the ignorance and uncivilized state of society there: this ill-treatment takes a more decided form than in countries more polished; but it is long before any set of men can give up entirely the love of dominion; and a nation must have arrived at the highest possible state of civilization, before women could be allowed a share in the action and public duties of social life. The most polished people of Europe would not countenance the idea of allowing women a share in legislation. The very thought, amongst the small wits of the day, would be held as highly ludicrous; and the empty coxcomb of a fashionable circle, whose powers of mind are evidently inferior to those of one half of his female acquaintance, would stoutly maintain the impossibility of a woman being able to understand what was for the good of society; while he, nevertheless, would flatter himself with the supposition, that the nation would not suffer, should it have the benefit of his counsel as a legislator. As this is a topic which we hope to discuss at some future period, we shall abstain from any further remarks.

The happiness of a society is made up of the happiness of the individuals, and the law that is most beneficial to them separately, is most beneficial to the whole society. The law that would have the greatest tendency to do so, in the case of marriage, would be that which would make it the interest of both parties to pursue a line of conduct agreeable to each other. That this cannot be done without perfect equality, it is easy to see ; indeed, we think, we have already proved it. Were the parties able to separate at their own option, no slight would be endured, nor would ill-treatment be one moment submitted to ; if the parties, therefore, derived any pleasure from the continuance of the connexion, their conduct would be such as to ensure its continuance ; if they did not, they would better their condition by separating.

This is the only remedy for the evil. It will be found that different degrees of misery exist amongst the female part of different nations, and that that misery increases as the women are more under the power of their husbands ; and their condition is bettered the more it approaches to an equality with that of the men. The conclusion from this is obvious—make them equal to the men, and you will have done much to make them happy.

#### SECOND SIGHT.

*"Rex quidam loquitur."*

THE Egyptians, 'tis said, in the cradle of time,  
Saw the sun springing up from the waves of the west,  
Shedding light all reversed on each wonder-struck clime,  
That before had beheld him there sinking to rest.

So now o'er those dark-rolling billows a light  
Red and awful, and dubious in portent, appears,  
Every moment enlarging and growing more bright,  
Like a comet approaching our world through the spheres.

Great God ! see, like Constantine's standard, it bears  
The word we most hate in its perilous round :  
Yes, Liberty ! yes—and to sharpen our fears,  
Lo ! myriads adoring, bow down to the ground !

Clouds thicken around it, and storms beat in vain,  
Already its rays pierce our palaces through ;  
We shall never enjoy our old darkness again,  
No, never ! nor sweet, gilded slavery renew.

Aye—e'en while our anger is raging—behold !  
Earth's tribes are adoring the light from the west :  
See, see the long scroll of their rights all unroll'd—  
Our mission is done !—we may now go to rest.

BION.

## UNPUBLISHED MANUSCRIPTS OF A TRAVELLER IN THE EAST.

## No. VII.

*Voyage from Milo through the Greek Islands to the Straits of Scio.*

EARLY on the morning of the 7th of August, we sailed from the harbour of Milo, bound through the Greek Islands to Smyrna; but it being calm throughout the latter part of the day, with light airs from the westward at intervals, our progress was extremely slow. The delay was, however, fully compensated by the delightful serenity of the weather and the beauty of the surrounding scenery. At noon we were between the islands of Serpho and Siphno, the north end of the latter bearing E. by N., distant three or four miles, and presenting a fertile appearance.

As we passed the north point of Siphno, in the afternoon, we had a distant view of the islands of Paros, Anti-Paros, and Naxia, which form one cluster, surrounded by many smaller ones.

Paros has been ever celebrated for its rich quarries of marble, the whiteness of which is poetically proverbial :—

And, lo! the dome that crumbles into dust,  
Whose Parian whiteness lured the glowing skies.

The poet, lamenting the decay of the arts under the iron sceptre of oppression, asks—

Though sunder'd caverns drink the lustrous light,  
As Paros echoes to the mountain shock;  
And the pure marble boasts its sparkling white,  
Who guides the chissel o'er the shapeless block?  
Say, can the hand that hew'd it from its rock,  
Mould the rough mass, th' obedient limb refine?  
Through the dense gloom if ever genius broke,  
Touched by the charm of beauty's waving line,  
Say, can the soul oppress'd still form the fair design?—POLWHELF.

While its marble quarries continued to be worked, Paros was one of the most flourishing of the Cyclades; but, on the decline of the Eastern Empire, they were entirely neglected, and are now converted into caves, in which the shepherds shelter their flocks. The island was antiently dedicated to Bacchus on account of its excellent wines; and in the neighbouring one of Naxia are still some splendid remains of a temple dedicated to the rosy god.

After the battle of Marathon, Miltiades was sent to lay Paros under contribution, on account of its joining the Persians; but the inhabitants made so resolute a defence, that all the efforts of that excellent general were insufficient to reduce them; and, at length, having lost a number of his men, and being wounded himself, Miltiades, hearing that the Persians were making preparations for a second invasion, returned to Athens, where his ungrateful countrymen, for-

getful of his eminent services, sentenced him to pay the expenses of the expedition; when, being unable to raise this fine, the great deliverer of Greece was thrown into prison, and, to the disgrace of the Athenians, died there of the wounds he had received in their service.

The famous 'Chronicle of Paros,' at Oxford, was brought from hence in 1627 by Thomas Howard, Earl of Arundel, who, in 1667, made a present of it to the University of that city.

The Russians, during their war with the Turks, made this place their grand arsenal, and many of their magazines and other buildings are still standing.

The castle, and almost all the houses, are built of marble, which the people have taken from fragments of architectural ruins, placing the large columns lengthways, and filling up the interstices with smaller pieces. Their very fields, too, are said to be enclosed with friezes, altars, and basso relievos; and travellers describe the sea-coast to be covered with fine blocks of marble and fragments of columns, which seem to have been brought there by persons who, for want of sufficient mechanical force to get them on board ship, have not been able to bring them away.

In Anti-Paros, the antient Oliaros, is a surprising natural grotto, forty fathoms high and fifty broad, from the top of which hang lapideous concretions, in forms of grapes, festoons, flowers, and spears; and on the sides and bottom are petrifications equally beautiful and grotesque. Our fair countrywoman, Lady Craven, visited it during her voyage, and has given a highly-coloured and elegant description of its beauties.

Naxia is elegantly introduced by Polwhele in his moving 'Tale of Araxes and Eucharis,' when describing the unbridled fury and licentiousness of a Gallic conquest; he says—

There, too, from Naxia, note a stranger guest,  
A heart of anguish his dimm'd eyes betray;  
He mourns a nymph, whose vows his soul possess'd,  
Snatch'd sudden from his clasping arms away,  
And doom'd in sighs to waste her youthful day.  
Yet, though the walls of lust the maid immure,  
He deems her spotless as the blush of May,  
And views, in virgin innocence secure,  
His Armé brave the threat, and spurn the gaudy lure.

The poet, after alluding to the other distinguished heroes of the isles, and strongly depicting their indignation at the insatiate lust and rapine of their invaders, introduces them as disdaining to sink under the pressure of evils, but, though a scanty squadron opposed to a countless host, bravely emulating the glorious achievements of their ancestors:—

Nor he, who sung, sore-ravished from his arms—  
Who sung to pity's lute the Naxian maid,  
Breathed his fond passion o'er her pictured charms,  
Or told his sorrows to the citron shade,

Already had he summoned to his aid  
His comrade Greeks, and fiercest of the van,  
Plunged in the crouching Gaul his angry blade,  
And seized the fortress where the fight began,  
As crowds, with headlong haste, from off the ramparts ran.

## GRECIAN PROSPECTS.

Surrounded as we were by regions almost hallowed, it was impossible to suppress the wanderings of imagination; nor did I feel at all disposed to impede her excursions while they afforded me so much gratification and delight.

On the following day the weather still continued light and calm. We had, however, made some little progress, and at noon were abreast of Syra, a mountainous island, inhabited chiefly by Greek Catholics, from which circumstance it is a rendezvous for French cruisers in the Archipelago. Two or three English prizes had been taken in there very recently by a brig and polacca ship, both corsairs. At two p. m. a signal was made by one of the fleet in-shore for an enemy in sight: on looking with the glass we could perceive a square-rigged vessel beating up under the coast, and shortly afterwards she was shut in with the land. Our pilot informed us that the place where she entered was a small harbour, principally frequented by pirates, where they lay concealed at anchor, while the crews kept a watch on the hills, and if single vessels passed they came out accordingly to attack them.

At four p. m. the wind becoming more favourable, we bore up, and rounding the south point of Syra, saw the celebrated island of Delos, near Myconi.

Delos is famed in fable as the birth-place of Apollo, whose oracle at Delphi was celebrated throughout the world; and as the god himself was considered to animate all nature with his life-infusing beams, his Delphi temple was the scene of corresponding rites.

Moore, in his 'Address from the High Priest of Apollo to a Virgin of Delphi,' depicts in powerful language the extravagance of those rites, and traces them to their real source. In an explanatory note he says: "It is well known, that in the antient temples, whenever a reverend priest, like the supposed author of the address mentioned, was inspired with a tender inclination towards any fair visitor of the shrine, and, at the same time, felt a diffidence in his own powers of persuasion, he had but to proclaim that the god himself was enamoured of her, and had signified his divine will that she should sleep in the interior of the temple. Many a pious husband connived at this divine assignation, and even declared himself proud of the selection with which his family had been honoured by the deity." In the Temple of Jupiter Belus, according to Herodotus, there was a large chapel, in which was placed a bed very splendidly ornamented, and beside it a table of gold, but no statue was in the place. "No man," says he, "is allowed to sleep here; but the apartment is appropriated to a female, whom, if we believe the Chaldean priests, the deity selects from the women of the country as his favourite." In

Egyptian Thebes, the same mockery was practised ; and at the oracles of Patara, in Lycia, the priestess never could prophecy until an interview with the deity was allowed her. The story which Josephus relates of the Roman matron, Paulina, whom the priests of Isis, for a bribe, betrayed in this manner to Mundus, is a singular instance of the impudent excess to which credulity suffered these impostures to be carried." In the Poem of Moore's, already alluded to, Apollo is represented as inquiring of his high-priest, who was the most beautiful among the nymphs that frequented his altar? and being told Aphelia, the god replies :

Then tell the virgin to unfold  
In looser pomp her locks of gold,  
And bid her eyes with fonder fire,  
Be kindled for a god's desire.

The remainder of the Poem displays all that warmth of imagination and exuberance of feeling which characterize its author ; and in a note affixed to it, he has thus described the effects of one of those invitations of Apollo upon the mind of a young enthusiast :

Delphi heard her shrine proclaim,  
In oracles, the guilty flame.  
Apollo loved my youthful charms,  
Apollo woo'd me to his arms !  
Sure, sure, when man so oft allows  
Religion's wreath to bind his brows,  
Weak wondering woman must believe,  
Where pride and zeal at once deceive ;  
When flattery takes a holy vest,  
Oh ! 'tis too much for woman's breast !  
How often, ere the destin'd time  
That was to seal my joys sublime,  
How often did I trembling run  
To meet at morn the mounting sun,  
And while his fervid beam he threw  
Along my lips' luxuriant dew,  
I thought—alas ! the simple dream—  
There burn'd a kiss in every beam ;  
With parted lips inhaled their heat,  
And sigh'd—"Oh ! god, thy kiss is sweet !"

\* \* \* \*

No deity at midnight came ;  
The lamps that witness'd all my shame,  
Reveal'd to these bewilder'd eyes  
No other form than earth supplies ;  
No solar light, no nectar'd air,  
All, all, alas ! was human there—  
Woman's faint conflict, virtue's fall,  
And passion's victory—human all !  
How gently must the guilt of love  
Be charm'd away by powers above,  
When men possess such tender skill  
In softening crime and sweetening ill ?

'Twas but a night, and morning's rays  
Saw me, with fond forgiving gaze,  
Hang o'er the quiet slumbering breast  
Of him who ruin'd all my rest—  
Him who had taught these eyes to weep  
Their first sad tears, and yet could sleep!—MOORE.

There are at this day some fine architectural ruins in the island of Delos, particularly a temple dedicated to Apollo, a beautiful colossal statue of that god, a portico, a marble theatre, and a temple at the foot of Mount Cynthus, which, being the spot where the twins of Latona were brought forth under an olive-tree, has given the name of Cynthia to Diana, or the Moon.

Delos, from a variety of circumstances, was held peculiarly sacred among the antients. Ovid, in his *Metamorphoses*, speaking of this island, calls it *Erratica Delos*; and Virgil, in his *Æneid*, speaks of Delos as a floating island at last fixed by Apollo.

Herodotus says, in his *Erato*: "The Persians had approached Delos with six hundred sail; but, overawed by the sacredness of the place, forbore their intended depredations." This historian tells us, that Delos was often observed to tremble, and that her trembling was considered as ominous, and always portended some misfortune to Greece, from the earliest period down to his own time. "Accordingly," says he, "at the departure of the Persian fleet under Dares, Delos trembled." Polwhele elegantly alludes to it:

Where Delos trembles on her desert wave,  
Rose there a rock, but breathed religion round?  
Hath antient Echo murmur'd from her cave,  
Nor Inspiration swell'd the sacred sound?  
Witness her fanes, with holier shades embrown'd;  
Her proud colossal gods, that, hovering near,  
Pale Persia saw, nor touch'd the hallow'd ground;  
But sudden, as she dropp'd th' uplifted spear,  
Her sails innumerable check'd, and paused in mid career!

Remaining on deck until midnight, I was gratified by seeing the lovely Cynthia rise, in full lustre, from behind the blue ridges of the very mountain that fabulously gave her birth, it being nearly east of us at the time of her rising—ten o'clock.

The wind shifting in the night, we had resumed our former course, returning round Syra, and standing along the N.W. side of it, were, at noon, between the islands of Joura, Andros, and Tino.

Joura is a small rocky island, and uninhabitable. Andros is, on the contrary, one of the most fertile islands in the Archipelago. Its antient inhabitants are often mentioned in history. They were proud of their military character, and yielded not to the successive invaders without many a struggle for liberty. The modern Andrians, after having been subjected to various masters, were, at length, enslaved to the Latins. To escape from the oppression of the family of Sommerine, they threw themselves under the dominion of the Turks. We are at



this moment but a few miles distant from it, and can perceive, in its luxuriant verdure, the strict propriety of the poet's episode :

Though Andros still her inexhausted vales  
Survey, by lavish vegetation crown'd ;  
Through orange groves, while flutter odorous gales,  
From citron-bowers, while bursting streams resound,  
While rich pomegranates branching shade the ground,  
And figs hang luscious in the solar flame ;  
Lo ! the poor 'habitant looks coldly round,  
And slights his long hereditary claim  
To Nature's liberal gifts, nor heeds his former fame.

Tiao, though not so large as Andros, is more populous, containing upwards of fifty villages, and 30,000 inhabitants. It is also in the highest state of cultivation, producing, in abundance, corn, olives, and every kind of fruit, particularly delicious grapes, from which they make a wine deservedly esteemed as the best in all these islands. As the mountains are cultivated to the very summit, the inhabitants, to prevent the mould falling down, have terraced all the coast with a breast-work of stone, which, from the sea, has a very fine and romantic appearance. But the principal riches of the island consists in the silk it produces, which the females manufacture into silk stockings and gloves, by knitting. Great quantities of them are sent into Turkey for sale, and they are generally esteemed.

This island is famed for the beauty of its women ; we were assured, indeed, by our pilot, that they are universally considered to be by far the handsomest throughout the Archipelago ; and, having often visited it, he says the palm of distinction in that respect is justly due to them. Eton also observes : " In Tino, the women are almost all beauties, and there the true antique head is to be found." Their chastity is neither celebrated nor impeached ; yet, in a climate, and on a spot where Nature, in all the varieties of her beautiful and alluring forms, seems to have conspired against that virtue, it would not be surprising if the rigour of her bonds were loosened. The poet seems to have suspected it, when he says :

Here, in secluded glades, in murmuring streets,  
Full many a Venus vaunts the enchanting air,  
Breathes, as she wins her way, ambrosial sweets,  
And wantons in luxurious beauty fair :  
Yet what avail those eyes that lightnings bear,  
The cheek, instinct with more than roseate red,  
The full deep bosom, or the crisped hair,  
What, but, amid lascivious folly bred,  
To bid the slaves of lust ascend a savage bed ?—POLWHELE.

Light airs from the southward, during the night, had driven us up towards the north part of Andros, near the island of Negropont, (the antient Eubœa,) which stretches from Cape Doro, north-westerly, along the coast of Achaia, or Livadia. It is divided from the continent of Greece by the narrow sea of the Euripus, running N.E. and

S.W. between eighty and ninety miles in length, over which is a bridge built, where Aulus formerly stood. Near this is the residence of the Capudan Pasha, or Captain Bashaw, as he is corruptly called, who, as Admiral of the Turkish fleet, is Commander-in-Chief of the island, this being their rendezvous. The Euripus, or sea dividing Negropont from the main, is remarkable for the stated irregularity of its tides, which has baffled the researches of both antients and moderns to account for satisfactorily. It is ascertained that, from the three last days of the old moon to the eighth day of the new moon, they are regular. On the ninth day they begin to be irregular, and have been known to flow ten, twelve, and even fourteen times, in twenty-four hours. It once belonged to the Venetians, from whom it was taken by the Turks in 1469, after a siege of six months, and at the expense of 40,000 men. The Venetians attempted to recover it in 1688, but were unsuccessful.

From this spot, too, we had a distant view of immortal Attica, near the site of Athens, and of the shores of Marathon, on the plains of which the heroic Miltiades vanquished the proud hosts of Persia. His persecution for the failure of the expedition against Paros, was certainly a blemish on their annals; but the death of this great man having disarmed the malice of his enemies, they soon became sensible of their shameful ingratitude, and, as some atonement to the manes of their departed hero, erected a monument to his memory on the plains where he had acquired his glory, some fragments of which still remain. But on those shores, the monuments of science and art, which drew admirers from the remotest corners of the earth, are demolished by the savage hand of barbarism. The eloquence that swayed the passions of applauding crowds, is dumb. The pencil that breathed over the canvass, and the chisel that gave life and animation to shapeless blocks, are now no more; and the all-powerful lyre, whose sweeping chords could rouse the soul to rage, or melt it into pity, is, perhaps for ever, mute and unstrung.

A breeze springing up from the N.W. prevented our going through the Straits of Silotta; and the passage between Andros and Tino being both shoal and narrow, we bore up to join the fleet, who were all to leeward. During the afternoon, we stood close to the island of Tino, and sailing along within half a mile of its shores, commanded a complete view of the western side.

Nothing could be more beautifully picturesque than the scattered Greek villages that studded the bosoms of the hills. Some of the houses were built with sloping roofs, but the greater part with flat ones, surrounded by apparent battlements, similar to many of the old fortresses and citadels in England; and others, with a sort of spiral tower ascending above it, which, our pilot informed us, were Catholic churches, a great many of the islanders having embraced that faith. They were all invariably white, which, contrasted with the yellow ivory of Ceres, and the rich deep green of orange, citron, and vine-rees, gave a charm to the landscape that would have been worthy the pencil of the most celebrated master. The sun retired in a rich

glow of reddened purple, and the rocky cliffs of the island, faintly exhibiting the golden green of metallic ore, opposed to the glassy azure of the sparkling tide, and the sombre haze of the retiring islands, formed a combination of the richest tints, equally beautiful and uncommon.

At eight P.M., we passed close to the port of St. Nicolo, which appears to contain some well-built houses. A few vessels were lying at anchor before the town, and the hum of a busy populace not unpleasantly intruded itself on the silence of the evening.

On the morning of the 11th, a light breeze from the northward enabled us to pass through the channel between Tino and Myconi, and, at noon, we were abreast of Nicaria, antiently, Icaria. Dallaway says: "The sea called by the moderns 'the Archipelago,' had antiently two names: the higher part, near the Hellespont, was called the 'Ægean,' from the river *Ἀργεοπονταῖος*; and from the island of Nicaria to the Mediterranean 'Icarian,' from the story of Dædalus and Icarus:

— Icaro datarus

Nomina ponto.—HORAŒ.

Its present inhabitants are poor Greeks, who subsist partly by the cultivation of the land, and partly by diving for sponges, with which the shores abound, many of the families making the caverns of the rocks their only places of abode.

Thevenot mentions a singular custom among them. "The richest men in the island" (says he) "give their daughters to the best divers, who are tried before the maid and her father; and he who remains longest under water wins her. The women" he adds "have the ascendancy, and as soon as the husband arrives from any place in his boat, the wife goes to the sea side, takes the oars and carries them home; after which, the husband can dispose of nothing without her permission."

A voyager to the Levant, in 1664, (S. H. Blunt,) has given us, in the quaint language of his day, an account of the sponge-divers in the neighbouring island of Samos, which, from its proximity of situation to Nicaria, must have been nearly allied to it in manners also:

"Samos," says he, "is a place under whose rocks grow sponges; the people from their infancy are bred up with dry biscuit, and other extenuating dyet, to make them extremely lean; then, taking a sponge wet with oyle, they hold it part in their mouths and part without, so go they under water, where at first they can not stay long, but, after practice, some of the leanest stay an hour and a half, even till all the oyle in the sporge be corrupted; and, by the law of the island, none of that trade is suffered to marry until he have stayed half an hour under water; that they gather sponges from the bottom of rocks more than a hundred fathom deep; which, with other stories of the ilelands, was told me by certain Greeks in our galleon."

Drawing near towards the Straits of Scio, we opened the island of Samos to leeward of us, the land of which appeared higher than any of the surrounding ones.

Samos, or Parthenias, was colonized by the Ionians more than a thousand years anterior to the Christian era. The mythologists mention it as the birth-place of Juno, to whom it was peculiarly sacred, and from whence she despatched her messenger Iris upon the wings of the rainbow, whose office it was to unloose the souls of dying women from the chains of the body.

To the republican government succeeded the monarchy of Polycrates. In 440 B. C. they were subdued by the Athenians, under the command of their famous statesman and general, Pericles, whom they then adopted as their protector against the confederate states; and the statue of Alcibiades was afterwards erected near that of Juno, within the confines of her temple. To the natural advantages of an insular situation, they owed security, whilst they invited invasion, and were perpetually involved in war, as long as the Grecian independence existed. Under the Romans, and the lower Greek Empire, it was connected with the other islands of the Archipelago, both as to form of government and general decay; and, in 1472, Knowles reports it to have been altogether desolate and unpeopled.

When the elegant or learned Romans visited Greece, Samos had objects of curiosity well worthy their attention, as Horace informs us, "*Romæ laudetur Samos*"; and, in another instance, he adds an epithet descriptive of its beauties, "*Quid concinna Samos*?"

Plutarch says, that Antony visited Samos, and passed some months there with Cleopatra, in the highest luxury; and Augustus twice wintered there, and granted the city many immunities.

The island is also celebrated as the birth-place and residence of Pythagoras, who, feeling a restraint under the monarchy of Polycrates, became a voluntary exile, and established a school of philosophy at Crotona, in Italy, from whence he is often called "*Crotona's Sage*"; but the Samians, unwilling to waive the honour of their just claim, perpetuated it by striking medals to his memory.

The cave is still shown where Pythagoras devoted the greater part of his days and nights to meditation and the mysteries of his philosophy. Moore, in his irregular Ode, '*The Genius of Harmony*,' has a beautiful allusion to it:

Or, didst thou know what dreams I wove  
'Mid the deep horror of that silent bower,  
Where the 'rapt Samian slept his holy slumber?  
When free

From every earthly chain,  
From wreaths of pleasure, and from bonds of pain,  
His spirit flew through fields above,  
Drank at the source of Nature's fountal number,  
And saw, in mystic choir, around him move  
The stars of song, Heaven's burning minstrelsy!

And in another of his classic pieces, '*The Grecian Girl's Dream of the Blessed Islands*, addressed to her Lover,' where she relates her having met in heaven Leontium, Pythea, and Aspasia, in whose soft embraces Epicurus, Aristotle, and Socrates, their respective admirers,

forgot the toil of "less endearing ties,"—he introduces the mistress of Pythagoras with a beautiful allusion to his doctrine of transmigration :—

While fair Theano, innocently fair,  
Play'd with the ringlets of her Samian's hair,  
Who, fixed by love, at length was all her own,  
And passed his spirit through her lips alone.

The temple of Juno was one of the greatest ornaments of Samos, and is mentioned by Herodotus as the most spacious and antient temple he knew. Besides being adorned with some excellent paintings of native artists, in a repository for pictures attached to the building, its galleries were furnished with the choicest specimens of art, and its open area contained many statues, and, amongst others, three of colossal size, of Jupiter, Minerva, and Hercules, standing on one base, wrought by Myron, which were removed by Antony, who presented them to Cleopatra. In the destruction of the statues at Constantinople, when taken by the French and Venetians in 1204, Nicetas mentions a colossal statue of Juno, which had once adorned her temple at Samos, the enormous head of which was drawn by four yoke of oxen to the palace; and amidst the conquests of the Romans, when the fragments of art were taken to adorn their city, the Temple of Samos was despoiled of its best ornaments.

Dallaway, who visited its ruins in 1795 or 1796, describes it architecturally; and, after speaking of the fragments that lay scattered around its site, says, "A hedge-row divides them from a single column of white marble, which stands about sixty yards distant, with the base sunk into the ground, and a capital lying near it. Its elevation is more than forty feet, divided in many pieces, which have been fractured and displaced by the Turks, who have fired cannon against it on presumption of its containing hidden treasure."

Among the medals in the Ainslean Collection, are some of brass, inscribed "ΣΑΜΙΩΝ," with the head of Juno, and, on the reverse, a peacock, her mythological attendant.

At four P. M. the breeze freshened considerably, and the carpenter discovering our foretopmast to be sprung in the wake of the cap, we were obliged to reduce the vessel to low canvass. At six we hauled close to the land, and sailing between the Cape and the little islet of Venecia, entered the Straits of Scio. The southern shores have a most sterile aspect, and are completely lined with little watch-towers on the rising grounds, placed there during the Venetian wars.

At six it fell completely calm, when we were within a mile of the shores of Scio, and abreast one of the most beautiful valleys that can be imagined.

ANTIENT DESCRIPTIONS OF HUMAN SACRIFICES IN  
THE EAST.

*To the Editor of the Oriental Herald.*

SIR,

Jan. 27, 1826.

THE lines you have quoted (at p. 1 of your last Number) as motto to a very convincing article 'On the burning of Hindoo Widows,' reminded me of another classical reference to that horrid custom of female self-immolation. It occurs in the fifth *Tusculan Disputation*, (§ 27). Cicero having described India as a barbarous and uncultivated region, thus proceeds:—

Mulieres in India, cum est cujusvis earum vir mortuus, in certamen, judiciumque veniunt, quam plurimum ille dilexerit. Plures enim singulis solent esse nuptæ. Quæ est victrix, ea læta, prosequentibus suis, unâ cum viro in rogum imponitur: illa victa, mæsta discedit. (In India, where a man is accustomed to have more than one wife, on the decease of a husband, his wives contend before the judicial tribunal for the privilege of being regarded as the favourite. She who prevails departs joyfully, attended by her relations, and is placed beside her husband, on the funeral pile. The rejected wife goes away sorrowful.)

Francis Bernier resided in the East from 1654 to 1670, having passed 12 years at Delhi, as physician to the Great Mogul. In his *Voyages*, (1699, ii. 112,) he thus describes a complicated scene of self-destruction which he witnessed—a widow, accompanied to the flames by five of her female attendants, whom he beheld literally *dancing into death*:

Le bucher fut incontinent tout en feu, parce qu'on avoit jeté dessus quantité d'huile et de beurre, et je vis, dans ce même temps, au travers des flammes, que le feu se prenoit aux habits de la femme, qui étoient frottés d'huiles de senteur mêlées avec de la poudre de santals et du safran; je vis tout cela, et ne remarquai point que la femme s'inquiât et se tourmentât en aucun façon.

Ce ne fut pas là la fin de cette infernale tragédie; je croyois que ce n'étoit que par cérémonie que ces cinq femmes chantoient et dansoient à l'entour de la fosse: mais je fus bien étonné lorsque la flamme s'étant prise aux habits d'une d'entr'elles, elle se laissa aller la tête la première dans la fosse, et qu'ensuite une autre accablée de la flamme et de la fumée en fit autant que la première; mon étonnement redoubla, un peu après, quand je vis que les trois qui restoient se reprirent par la main, continuèrent le branle sans s'effrayer, et qu'enfin les unes après les autres elles se précipitèrent dans le feu comme avoit fait leurs compagnes.

Bernier, however, amidst his numerous opportunities of witnessing these horrible scenes, had detected the various artifices of the attendant Brahmins. He indignantly describes them, (p. 117,) furnished with their great *batons*, alarming, encouraging, or, as occasion might require, even pushing forward their reluctant victims:

Le démons de Brahmins, qui sont là avec leurs grand bâtons, les étonnent, les animent ou les poussent même dedans, comme je l'ai vu à une

jeune qui avoit reculé cinq ou six pas du bucher, et à une autre qui se tourmentoît quand elle vit prendre le feu autour d'elle et à ses habits, ces bourreaux la repoussant deux ou trois fois avec leurs fregons.

The following scene, this humane and intelligent traveller witnessed at Lahore, scarcely restraining the expressions of his anger while the Brahmins were labouring in their detestable vocation, to secure the destruction of a widow only twelve years of age:—

Il me souvient, entr'autres que je vis à *Lahor* une femme, qui étoit très belle, et qui étoit encore toute jeune, je ne crois pas qu'elle eût plus de douze ans; cette pauvre petite malheureuse paroissoit plus morte que vive à l'approche du bucher; elle trembloit et pleuroit à grosses larmes, et cependant trois ou quatre de ces bourreaux, avec une vielle qui la tenoit par dessous l'aisselle, la poussèrent et la firent asseoir sur le bucher; et de la crainte qu'ils avoient qu'elle ne s'enfuit, ou qu'elle ne se tourmentât, ils lui lièrent les pieds et les mains, mirent le feu de tous côtés, et la brûlèrent toute vive. J'eus bien de la peine à retenir ma colère, mais il se fallut contenter de détester cette horrible religion.

Mr. Holwell, in his 'Interesting Historical Events relative to the Provinces in Bengal,' (written in 1766, from information acquired during a residence in India twenty years before,) has a chapter (IV.) on "the religious tenets of the Gentoos, followers of the Shastrah of Bramah." There he could not fail to introduce the practice of "the *Gentoo* wives burning with the bodies of their deceased husbands."—He refutes, as "void of foundation in fact, a received opinion, that, if the wife refuses to burn she loses her *caste*, or tribe, and is stamped with disgrace and infamy." On the contrary, as to the widows, "the worst consequence that attends their refusal, is lying under the imputation of being wanting to their own honour, purification, and the prosperity of their family." He says, that "the *Brahmins*, whose motives the reader's penetration may probably discover, take unwearied pains to encourage, promote and confirm, in the minds of the *Gentoo* wives, this spirit of burning." Thus, "from their infancy, they are instructed by the household *Brahmin* to look upon this catastrophe as most glorious to themselves, and beneficial to their children." Mr. Holwell, however, disputes the supposed sacred authority for this rite, charging "the *Brahmins*" with having "foisted it into the *Chartah Aughtorra Bhades*, and instituted the forms and ceremonials that were to accompany the sacrifice," after they had "strained some obscure passages of Bramah's *Chartah Bhade* to countenance their declared sense of the action."

Mr. Holwell, who, during a long residence in India, had "been present at many of these sacrifices," observed "in some of the victims a pitiable dread, tremour, and reluctance, that strongly spoke repentance for their declared resolution." In such cases, the victim "is with gentle force obliged to ascend the pile, where she is held down with long poles, by men on each side of the pile, until the flames reach her; her screams and cries, in the mean time, being drowned amidst the deafening noise of loud music, and the acclamations of the multitude."

I cannot help adding here an appropriate anecdote from Crawford's 'Sketches relating to the History, Religion, Learning and Manners, of the Hindoos.' The writer says, (ii. 29,) that "two English officers, who were in the service of the *Nabob of Arcot*, being present at one of these ceremonies, in the province of *Tanjour*, were so affected by it, that they drew their swords, and rescued the woman." This forcible interruption produced no appearance of any commotion. It is only said that "the *Brahmins* positively rejected her solicitations for permission to burn herself afterwards; saying she was polluted, and had lost "the virtues of her caste."

Returning to Mr. Holwell. He proceeds to give an instance of the "most amazing, steady, calm resolution, and joyous fortitude," in one of these "self-devoted victims," which was witnessed by himself "and several other gentlemen of the East India Company's factory at Cossimbuzzar," in "Sir F. Russell's chiefship." She was aged between 17 and 18, the only wife of "Rhaam Chund Pundit, of the *Mahahrotta* tribe, aged 28," who died in 1743. His widow, "as soon as he expired, disdaining to wait the term allowed her for reflection, immediately declared to the *Brahmins*, and witnesses present, her resolution to burn." After relating the unavailing attempts of "the merchants and her relations," and the humane interference of Lady Russell "to dissuade her," especially alleging "the infant state of her three children," Mr. Holwell proceeds with a description, of which you will probably allow me here to quote the whole. It is given by an eye-witness, an eminent observer of Indian manners; is in itself highly interesting; and the day is, I trust, approaching when such a scene can be contemplated only in history:—

When the torments of burning were urged in *terrorem* to her, she, with a resolved and calm countenance, put her finger into the fire, and held it there a considerable time. She, then, with one hand put fire in the palm of the other, sprinkled incense on it, and fumigated the *Brahmins*. The consideration of her children left destitute of a parent, was again urged to her. She replied, *He that made them would take care of them*. She was, at last, given to understand she should not be permitted to burn. This, for a short space, seemed to give her deep affliction; but soon recollecting herself, she told them, *death was in her power, and that if she was not allowed to burn, according to the principles of her caste, she would starve herself*. Her friends finding her thus peremptory and resolved, were obliged at last to assent.

The body of the deceased was carried down to the water-side early the following morning. The widow followed about ten o'clock, accompanied by three very principal *Brahmins*, her children, parents, and relations, and a numerous concourse of people. The *order of leave* for her burning did not arrive from Hosseyn Khan, Fouzdaar of Morshedabad, until after one, and it was then brought by one of the Soubah's own officers, who had orders to see that she burnt voluntarily. The time they waited for the order was employed in praying with the *Brahmins*, and washing in the Ganges. As soon as it arrived, she retired, and stayed for the space of half an hour in the midst of her female relations, amongst whom was her mother. She then divested herself of her bracelets and other ornaments,



and tied them in a cloth, which hung like an apron before her, and was conducted by her female relations to one corner of the pile.

On the pile was an arched arbour, formed of dry sticks, boughs, and leaves, open only at one end to admit her entrance. In this the body of the deceased was deposited, his head at the end opposite to the opening. At the corner of the pile to which she had been conducted, the Brahmin had made a small fire, round which she and the three Brahmins sat for some minutes. One of them gave into her hand a leaf of the bale-tr (the wood commonly consecrated to form part of the funeral-pile,) with sundry things on it, which she threw into the fire. One of the others gave her a second leaf, which she held over the flame, whilst he dropped, three times, some ghee on it, which melted and fell into the fire; (these two were preparatory symbols of her approaching dissolution by fire, and whilst they were performing this, the third Brahmin read to herself of the *Aughtorrah Bhade*, and asked her some questions, to which she answered with a steady and serene countenance; but the noise was so great, we could not understand what she said, although we were within a yard of her.

These over, she was led, with great solemnity, three times round the pile, the Brahmins reading before her. When she came the third time to the small fire, she stopped, took her rings off her toes and fingers, and put them to her other ornaments. Here she took a solemn majestic leave of her children, parents, and relations; after which, one of the Brahmins dipped a large wick of cotton in some ghee, and gave it, ready lighted, into her hand, and led her to the open side of the arbour. There all the Brahmins fell at her feet. After she had blessed them, they retired weeping. By two steps she ascended the pile, and entered the arbour. On her entrance, she made a profound reverence at the feet of the deceased, and advanced and seated herself by his head. She looked, in silent meditation, on his face for the space of a minute, then set fire to the arbour in three places. Observing that she had set fire to leeward, and that the flames blew from her, instantly seeing her error, she rose, and set fire to windward, and resumed her station. Ensign Daniel, with his cane, separated the grass and leaves on the windward side, by which means we had a distinct view of her as she sat. With what dignity and undaunted a countenance she set fire to the pile the last time, and assumed her seat, can only be conceived, for words cannot convey a just idea of her. The pile being of combustible matter, the supporters of the roof were presently consumed, and it tumbled upon her.

I know not how this extraordinary and affecting narrative will impress any of your readers to whom it may be new. I confess that I could not retrace it, after the years which have elapsed since my first perusal in the work of the intelligent observer, without renewing the regret I then felt, that one capable of so much magnanimity should have thus sacrificed herself under the influence of a gross delusion. What an exemplary mother, willing to survive even under the most painful circumstances of humanity, and thus to fulfil the duties of both parents, might such a high-minded woman have become, if blessed with a more rational faith, and living under a government disposed to spread knowledge among a people, rather than to depend on their ignorance for an abject submission to rapacious exaction, and a blind devotion to despotic rule!

I observe somewhere, perhaps on one of your pages, that a learned gentleman, who is an active and intelligent *India* proprietor, has expressed his determination to bring before a general court the subject of *Suttees*, those scenes so disgraceful to the British Government of India. That learned gentleman will not, I am persuaded, be among the last (he ought to have appeared among the foremost) to discover that the *freedom of the press*, which he deems the first blessing of England, cannot be the bane of India, but, on the contrary, that the press is the only engine powerful enough to raise, from the degradation of ages, the prostrate priest-ridden *Hindoo*.

N. L. T.

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LINES ON THE BREAK OF DAY.

FAINT, and more faint, Aurora's lonely star,  
Still glimmering with pale uncertain light,  
Sinks midst the morning's blush, that seems afar  
Just peering o'er the scowling brow of Night.

With eyes downcast, Aurora sheds her tears  
O'er sleeping buds, that love the noontide ray,  
Whilst from his radiant couch young Phœbus peers,  
Kissing from Flora's cheeks those tears away.

Shrill through the silent cottaged vale forlorn,  
With rudest larum, and with clarion keen,  
The cock attests the buxom breath of Morn,  
That scares from moonlight spell the Fairy Queen.

Above the mead of fragrant grass new shorn,  
The wakeful lark, poised in precursive song,  
Wings his gay height, on trembling notes upborne,  
That echoing thrill the Attic<sup>1</sup> waste along.

Tumultuous joys now swell the welkin round,  
Love, health, and labour, all their charms display,  
Whilst from the forest deep, the opening bound  
Breaks with the horn in transports far away.

Moorshedabad.

S. T. W.

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<sup>1</sup> Lo! where the rosy-bosomed hours,  
Fair Venus' train appear,  
Disclose the long-expected flowers,  
And wake the purple year,  
The *attic warbler* pours his throat,  
Responsive to the cuckoo's note.—*Gray's Ode to Spring*.

— Where the *attic bird*  
Thrills her thick warbled notes the summer long.  
*Milton's Paradise Regained*.

## MIGNET'S HISTORY OF THE FRENCH REVOLUTION.

WE now, after the lapse of more than five-and-thirty years, begin to view the Revolution of France with something like the impartiality of posterity. The asperity of passion, which, while the event was recent, tinged every book published on the subject, has already been nearly obliterated, and we have generally become convinced that it is much better to inquire into the causes and progress of the catastrophe, than to indulge in senseless invectives against those who, in turn, were its promoters and its victims. It must, notwithstanding, be confessed that there are many who still entertain a kind of instinctive, indiscriminating horror indifferently for all parties engaged in producing the events of those times. These persons have been seduced, either by the fanatical declamations of Burke, which are still perpetually retailed, in some shape or other, by the petty dealers in monarchical politics; or they have caught up and appropriated to themselves those orphan prejudices, which, begotten no one knows when nor where, wander about friendless in the obscure regions of society. In either case, all they want to set themselves right is knowledge; and that, of the most valuable kind and in the most agreeable shape, they may now obtain from the work before us.

Of the author's rank or condition we know nothing; but, whatever these may be, his means of information have evidently been copious. The printed materials, indeed, for a history of the French Revolution, are now exceedingly voluminous, and might perhaps suffice, without the assistance of private memorials. But M. Mignet appears to have conferred personally with those veterans of the Revolution, still numerous in France, upon whose memories its awful scenes must for ever remain indelibly impressed. At all events, his work has all the energy and vivacity of an original composition.

Fully aware of the tediousness of a prolix narrative, he is excessively concise, apparently in imitation of Tacitus. But even the Roman historian himself has been accused of being too sparing of his words, and of affecting the oracular style, in which too much was left to be supplied by conjecture. Be this as it may, M. Mignet's brevity seems to be a real imperfection, because it frequently springs from omission, not compression. He sometimes introduces new terms and designations, without explaining them: for example, at p. 340, vol. i. where the Mountain is first mentioned; and though afterwards we find the derivation, a few pages on, of this party appellation, the mind meanwhile has been perplexed with uncertainty, and feels more irritated than relieved at the misplaced explanation. An historian aiming at immortality should never suppose the reader-acquainted with

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<sup>1</sup> History of the French Revolution, from 1789 to 1814. By F. A. Mignet. In 2 vols. London: Hunt and Clarke, Tavistock-street, Covent Garden.—1826.

any thing he relates, or leave him a wish to be better informed; for this would in reality be to suppose the existence of a more explicit source of information, and indeed to render it absolutely necessary.

However, we would by no means be understood to intend, by what we have said above, to disparage M. Mignet's book. It is by far the best we have yet seen on the subject. All we aim at is, to point out an imperfection which, whether our remarks ever reach him or not, the author will doubtless remedy in a future edition. For he cannot, we think, fail, upon fresh revisal, to perceive that important actors in the events described are often abruptly introduced and dismissed, and that, in fact, the whole pageant of the Revolution, in all its imposing and terrible interest, hurries by much too rapidly, creating, as it passes, an intoxication of mind allied to its own spirit, and leaving a confused and dizzy recollection of its grandeur behind it.

But this fault, which resulted almost inevitably from the plan of the author, does not greatly interfere with the usefulness of the book; and not at all with its interest. Indeed, the incessant crowding of events upon each other, the rapid transitions of power, the starting up and the disappearing of parties, the shifting of opinions and prejudices, which accompanied the decomposition of the French monarchy, form a *unique* spectacle, which will be regarded from the remotest futurity with astonishment and awe. Like the changes which, after death, take place in the natural body under a tropical sun, the precipitated mutations of the expiring body politic of France were too rapid to be correctly distinguished while they were operating; and the best picture that can be given of them must partake, in some degree, of their crowded and confused nature.

It is not the least merit of M. Mignet's history, that it distinctly and satisfactorily details the *causes* of the Revolution. For many years it was the fashion to believe, with the Abbé Barruel and other madmen, that the French people, in taking up arms against despotism, were nothing more than the tools of a philosophical conspiracy, which goaded them into rebellion by dint of innumerable pamphlets, dangerously seasoned with eloquence and wit. This opinion, too absurd to be refuted, was very powerfully exposed, twenty-five years ago, by M. Mounier, the first popular President of the National Assembly, in his work on 'The Influence of the Philosophers,' &c. But its best confutation is to be met with in M. Mignet's history. We there find that the Revolution of France sprung from no conspiracy, but was the natural result of the measures pursued by the sovereigns of that country, both in peace and war, for more than a century. The profligate extravagance of the court, which was ably backed by that of the clergy and noblesse, had entirely deranged the finance; the parliament had been alienated and rendered refractory by arbitrary interference; the people, by excessive imposts, poverty, insecurity, and perpetual oppression. Undoubtedly, the diffusion of knowledge, principally promoted by the philosophers, contributed likewise to make the people more impatient of servitude, and to hasten resistance. But public opinion is not the result of systems of philosophy, and is very slightly

influenced by political pamphlets ; it is produced by the circumstances of the times, acting simultaneously on the public mind. Besides, the scantiness of the revenue, which chiefly embarrassed the court and hastened the Revolution, was not an effect of public opinion. Had the King been in possession of a tolerable revenue, the States-General would not have been convoked. They were called together to supply his wants ; and it occurred to them, when assembled, that they also had wants to be supplied, and they felt that they had the power to provide for themselves.

In philosophizing more minutely on the causes of the Revolution, M. Mignet observes, that the age of reform was prepared by the age of philosophy, as the latter had been prepared by that of *the fine arts*. At this rate, the fine arts, after all, were the true authors of the Revolution ; or, more properly, its causes should be sought for in the first invention of arts and philosophy, or even in the primordial movements of chaos. But this is miserable trifling. And it should be remarked, that our historian is in general much more successful where he relates than where he philosophizes ; for, in the latter case, he is apt occasionally to fall into those misty generalities which would seem to be almost endemic in France.

We shall not attempt to elaborate, from the work before us, a new and more brief sketch of the Revolution, which would necessarily be much too meagre to be of any utility. It may be more useful to extract a few passages illustrative of the character of Louis XVI., interweaving, as we go along, such remarks of our own as may seem requisite. It has always been very much the fashion, when the political conduct of a prince has been impugned, to bring forward his private virtues. You complain that such or such a king is a tyrant to his people : it is replied, but he is very complaisant to his wife ;—you say, his extravagance and favouritism bring ruin on the country : the answer is, he is an excellent father ;—you object that he causes virtuous men to be imprisoned or persecuted, and you are told that he keeps no mistresses, and repeats his prayers very regularly. *Ergo*, he is an excellent king.

There can be no doubt that the present race of French writers are expected by the government to insert something in favour of Louis XVI., so often as they touch on the Revolution ; and perhaps their personal safety renders necessary some small degree of dissimulation. But in history, a panegyric to which the subsequent detail of events perpetually gives the lie, is a very clumsy piece of flattery, and looks exceedingly like a sop thrown in for a censor. Be this, however, as it may, the character of Louis XVI., which M. Mignet has thought fit to give in his Introduction, is nothing in the world but a piece of invention, framed for some particular purpose, and inserted where it was thought it would appear least startling and paradoxical. Let the reader examine it for himself :

Of all princes, Louis XVI. was he whose intentions and whose virtues were best adapted to his times. He was weary of arbitrary power, and anxious to abandon it ; he was irritated by the burthensome licentiousness

of the court of Louis XV., and he was a man of pure manners and inexpensive habits; ameliorations now become indispensable, were loudly demanded; and he felt the public necessities, and made it his glory to satisfy them. But it was as difficult to operate good as to continue evil; for he must have the power to make the privileged class submit to reforms, or the nation to abuses; and Louis XVI. was neither a regenerator nor a despot. He was wanting in that sovereign will which alone accomplishes great changes in states, and which is as necessary for the monarch who would limit, as for him who would aggrandize his power. Louis XVI. had just views and amiable dispositions; but he was without decision of character, and had no perseverance in his measures. His projects of amelioration encountered obstacles which he had not foreseen, and which he could not vanquish. Thus he fell by his attempts at reform, as another would have fallen by his refusal. His reign, up to the period of the States-General, was a long tissue of ameliorations which produced no result.

We extract not this passage as a specimen of our author's best manner, for it must be acknowledged that he is not particularly happy at invention. His *forte* is the narration of actual events, and the description of men as they are; it is not, therefore, surprising that he should have failed in an attempt to portray an imaginary personage, decorated with contradictory qualities, virtuously hypocritical, and ignorantly just in his views. Let us dwell on this passage; it is one of the most extraordinary in the whole work, which, upon the whole, is particularly free from cant and nonsense. Observe, the historian asserts, 1. that "of all princes, Louis XVI. was he *whose virtues were best adapted to his times.*" Well, then, what were the virtues best adapted to those times? Were they not magnanimity, courage, perseverance, fortitude, humanity? And which of these did he possess? The virtues of a prince are nothing more than those qualities which make him useful to his subjects; and these qualities, to be adapted to the times, must render their possessor adequate to the conception and execution of such plans of general utility, as the wants or intelligence of the age may demand. But M. Mignet allows that at the period of the Revolution it was necessary for the prince to be able either to compel the privileged classes to submit to reform, or the nation to abuses. Here were two things, the performance of either of which would have proved Louis's virtues "adapted to his times." But Louis's virtues were equally unfit for both; "he was neither a regenerator nor a despot." What was he then? The answer trembles on the point of our pen, but we shall suppress it. 2. The historian asserts that Louis was weary of arbitrary power, and anxious to abandon it; 3. that he had no decision of character; 4. that he had just views; 5. that he had no perseverance in his measures; and, 6. to crown all, that all his projects were perfectly good for nothing. A character admirably, indeed, adapted to his times! But let us venture on some degree of detail: we have observed already, that in an epoch decidedly revolutionary, it is of the utmost importance that the prince should possess courage and perseverance. He must employ ministers, and will often have to modify his measures, sometimes to change his assistants, but still his reliance in all conjunctures must be on him-

self. Louis XVI. had no self-dependence. When Turgot resigned, he no longer gave himself any trouble about public affairs, but "abandoned every thing, saying at the same time, that he and Turgot were the only two persons who wished the good of the people." What, then, was Necker, and Marie Antoinette, his queen, who, after the death of Maurepas, became *minister*, according to Mignet, and inherited all that old courtier's influence over her husband? This celebrated lady, who had the honour of causing Edmund Burke to utter his memorable nonsense about the age of chivalry, was quite master at Versailles, in spite of the *Salique law*; and as her "amiable but weak husband was incapable of directing himself, she took into her hands in a great measure the reins of government." Under her administration, courtier-ministers and *licentiousness* again invaded the palace; and, in fact, it is from the period of her ascendancy that M. Mignet dates the commencement of the Revolution. Perhaps the historian infers from Louis's passive obedience to his queen, his weariness of arbitrary power; it is the strongest argument in favour of the notion we have yet met with. Certainly this prince forgot his anxiety to abandon despotism in the first speech he delivered to the States-General. "The king, instead of wisely tracing out to the states the march which they ought to follow, invited the orders to act in harmony with each other, told them the necessities of the state, declared his apprehension of innovation, and complained of the inquietude of the public mind, without announcing any measure which might satisfy it."—Vol. i. pp. 44, 45.

It seems probable that Turgot and Necker had succeeded in disposing Louis sincerely to favour some feeble attempts at reform, but this disposition was quickly eradicated. It was the characteristic of this man of "just views," and "virtues adapted to his times," to be "equally accessible to good and evil counsels," to understand nothing, to be the dupe of every mischievous knave who happened to attack him through the queen. No sooner did Marie Antoinette and her coadjutors perceive that he lent a rather favourable ear to the prudent counsels of Necker, who advised pacific measures with the States-General, now become the National Assembly, than they hurried him away to Marly, and got him, in the name of religion, to promise whatever they pleased. Re-inspired with the legitimate insolence of despotism, he returned to Versailles, and a royal sitting was proposed. The National Assembly, now regularly and peaceably meeting, had passed certain decrees; and it was apprehended that the clergy would recognise and unite with it. To prevent this, the hall of the Assembly was forcibly closed, the representatives of the nation were kept out at the point of the bayonet, and all this was done *because it was the king's pleasure to postpone his visit to the hall.*

Meantime the deputies arrive, the uproar increases, all are resolved to brave the perils of a re-union. The most indignant wish to go and hold the assembly at Marly, immediately under the windows of the prince; some one cries out, "The Tennis-Court." This proposition is applauded; the deputies go there in a body; Bailly is at their head; the crowd follows

them with enthusiasm; the soldiers come to escort them; and there, in an empty hall, the deputies of the commons, standing, with their hands upraised, and their hearts full of the sanctity of their mission, swear, with the exception of one individual, that they will not separate until they have given a constitution to France.

This solemn oath, taken on the 20th June, in the face of the nation, was followed, on the 22d, by an important triumph. The assembly, still deprived of the place of its sittings,—no longer able to meet at the tennis-ground, which the princes had occupied in order that it might be refused, assembled at the church of St. Louis. It was in this sitting that the majority of the clergy united themselves to it, in the midst of the most patriotic transports. Thus the measures taken to intimidate the assembly, raised its courage, and hastened that re-union which they were designed to prevent. It was by two checks that the court preluded the famous sitting of the 23d June.

It arrived at length. A numerous guard surrounded the hall of the States; the gate was opened to the deputies, but closed to the public. The King appeared surrounded by all the circumstance of power. He was received, contrary to custom, in profound silence. His harangue failed to its extremity the spirit of discontent, by the tone of authority with which he dictated measures disapproved by opinion and by the assembly. The King complained of a disagreement excited by the court itself; he condemned the conduct of the assembly, which recognised only the order of the *tiers-état*; he quashed all its resolutions; prescribed the conservation of the orders, imposed reforms, and determined their limits; enjoined upon the States-General their acceptance, threatened to dissolve them, and to do alone what the good of the realm might require, if he encountered any opposition from them.

After this scene of authority, which was very little suitable to the occasion, and which, in truth, was alien to his own feelings, he commanded the deputies to separate, and withdrew. The clergy and the noblesse obeyed. The deputies of the people, immoveable, silent, indignant, did not quit their seats. They remained some time in this attitude; and Mirabeau, suddenly breaking the silence, "Sirs," he said, "I confess that what you have heard might be for the good of the country, were not the presents of despotism always dangerous. What means this insulting dictation, the display of arms, the violation of the national temple, in order to command you to be happy! Who is it that makes this command? your proxy! Who gives you imperious laws? your proxy! he who ought to receive them from you, from us, gentlemen, who are invested with a political and inviolable priesthood; from us, from whom twenty-five millions of people expect certain happiness, because it ought to be consented to, given and received by all. But the liberty of your deliberations is chained down; a military force environs the Assembly. Where are the enemies of the nation? Is Catiline at our gates? I demand that you, clothing yourselves in your dignity and your legislative authority, be firm in the sacredness of your oath; it does not permit us to separate till we have made the constitution." The grand master of the ceremonies, seeing that the Assembly did not separate, was about to remind it of the order of the King. "Go," exclaimed Mirabeau; "tell your master that we are here by the order of the people, and that we shall depart only at the point of the bayonet." "You are to-day," added Siéyes, with calmness, "what you were yesterday; let us deliberate!" and the Assembly, full of resolution and majesty, proceeded to its deliberation. Upon the motion of Camus, it persevered in all its de-



crees; and upon that of Mirabeau, it decreed the inviolability of its members. On this memorable occasion, the royal authority was lost.

Having been initiated in the career of violence, this excellent prince began to assume courage, a virtue to which he was after all but very slightly addicted, and seriously meditated the dissolution of the Assembly with bayonets. The deputies having sworn to give a constitution to France, Louis thought that the most effectual way to annul their oath was to operate on them by immediate terror. This resolution was hastened by observing with how much anxiety Paris and the principal towns of France looked forward to the promised constitution, which, in enthusiastic addresses, they hailed as the regeneration of France:

In the mean time, the troops arrived in great numbers; Versailles presented the appearance of a camp; the hall of the states was environed with guards, and entrance prohibited to the citizens; Paris was surrounded by different bodies of the army, who seemed posted there to be ready, as occasion might require, for a siege or a blockade. These immense military preparations, trains of artillery arriving from the frontiers, the presence of foreign regiments, whose obedience was unlimited, every thing announced some sinister project. The people were agitated, the Assembly rushed to inform the throne, and demand from it the return of the troops. Upon the proposition of Mirabeau, it made an address to the King, respectful and firm, but which was unavailing. Louis XVI. declared, that he alone was competent to judge of the necessity of assembling these troops, or of causing their return; that this was only an army of precaution, in order to prevent troubles and to guard the Assembly. He offered, moreover, to transfer the assembly to Noyon or Soissons, that is, to place it between two armies, and deprive it of the support of the people.

Such were the dispositions of Paris when Necker was removed from the ministry. The court, after having established troops at Versailles, at Sèvres, at the Champ-de-Mars, at St. Denis, thought itself able to execute its plan. It commenced by the exile of Necker, and a complete change in the ministry. The Marshal de Broglie, Lagallissonnière, the Duke of Vauguyon, the Baron de Bréteuil, and the Intendant Foulon, were appointed to succeed Puiségur, Montmorin, Luzerne, Saint-Priest, and Necker. The last received, on Saturday, the 11th July, while at dinner, a note from the King, commanding him to quit the realm immediately. He very calmly finished his dinner, without taking any notice of the order he had received, then got into a carriage with Madame Necker, as if going to Saint-Ouen, and took the road for Brussels.

During the first popular ferment at Paris, when the people were every moment expecting to be attacked by the brutal foreign soldiery in the pay of the court, demands were made to the provost of the merchants and to the committee of the Hotel-de-Ville, for arms and artillery; their patriotism, however, was trifled with in the most audacious manner by the court, which afterwards gave terrible satisfaction for the insult:—"By-and-by chests arrived inscribed—*artillery*; this calmed the effervescence; the people escorted them to the Hotel-de-Ville, believing them to contain the expected muskets of Charleville: they opened them and found them filled with old linen and bits of

wood. Then the people clamoured at the treachery, and broke forth in murmurs and menaces against the committee and the provost of the merchants."

Notwithstanding this dreadful joke, the court was shaken with terror at the increasing fury of the people, and as messenger after messenger carried to Versailles the rapid symptoms of revolution, Louis began to fear that possibly his mercenary bayonets might prove too brittle in a shock with the Parisian pikes. The Assembly persevered in demanding the removal of the foreign troops, which still continued to hover round them for the purpose of intimidating their deliberations. Louis turned a deaf ear to their deputations, actuated by a species of fatality which urged him on to his own destruction. When

The deputies D'Ormesson and Duport came to announce to the Assembly the capture of the Bastille, the death of Flesselles, and that of Delaunay; a third deputation to the King was proposed, to demand again the removal of the troops. "No," said Clermont Tonnerre; "leave them the night for consultation; kings, as well as other men, must purchase experience." It was in this state that the Assembly passed the night. In the morning, a new deputation was nominated to show the monarch the calamities which would ensue from a longer refusal. It was then that Mirabeau, arresting the deputies as they were departing,—“Tell him boldly, tell him,” he exclaimed, “that the hordes of foreigners by whom we are surrounded, have received yesterday the visit of princes, of princesses, of favourites, of court ladies, and their caresses, and their exhortations, and their presents; tell him, that these foreign satellites, gorged with money and wine, have predicted, in their impious revelry, the enslavement of France, and that their brutal wishes invoke the destruction of the National Assembly; tell him, that in the palace itself the courtiers have danced to the sound of this barbarous music, and that such orgies were the harbingers of St. Bartholomew! tell him, that the Henry, whose blessings are proclaimed by the universe, he of his ancestors whom he should take for a model, brought food into rebel Paris, which he besieged in person; but that his ferocious councillors sent back the corn which commerce had brought into his faithful but famished capital.”

But at this instant the King appeared in the midst of the assembly. The Duke of Liancourt, availing himself of that access to the sovereign which his office of grand-master of the wardrobe gave him, apprised him during the night of the defection of the French guards, and of the attack and capture of the Bastille. At this news, of which his councillors had left him in ignorance, “*It is a revolt!*” exclaimed the astonished monarch. “No, Sir, *it is a revolution.*” This excellent citizen had represented to him the perils to which he was exposed by the projects of the court, the fears, the exasperation of the people, the bad disposition of the troops; and the King had determined to present himself to the assembly, to reassure it of his intentions. This news inspired, in the first instance, transports of joy. But Mirabeau represented to his colleagues the folly of their abandoning themselves to such premature expressions of applause. “Let us wait,” said he, “till his Majesty make known to us the good disposition which is announced on his part. The blood of our brethren flows at Paris. Let a mournful respect be the first reception of the monarch of an unhappy people; the silence of the people is the lesson of kings.” The Assembly resumed the sullen attitude, which, for three days, it had never abandoned.

The King appeared without guards, and without any other retinue than that of his brothers. He was received with the profoundest silence; but when he had declared that he was one with the nation, and that, relying upon the affection and fidelity of his subjects, he had given orders for the troops to retire from Paris and Versailles,—when he had pronounced these touching words, “Well, then, it is to you that I confide myself,” plaudits were heard from every quarter; the members of the Assembly rose spontaneously, and reconducted the monarch to the château.

At a later period, when the revolution had made great progress, “the court availed itself of the agitation of Paris to realize other projects; for some time they had been experimenting on the disposition of the King. He had at first refused to sanction the decrees of the 4th of August, although they were *constitutional*, and that he could not from that avoid promulgating them. After having accepted them upon the observation of the Assembly, he renewed the same difficulties relative to the declaration of rights.” (This very prince who “was weary of arbitrary power, and anxious to abandon it.”—p. 19.) And in order to evince still more clearly his strong desire to “abandon” arbitrary power, he and his court practised upon the foreign mercenaries by presents and drunken fêtes, to render them more than usually ferocious by intoxication, and in that state to let them loose upon the people. At the various palaces of Paris, strange cockades and unknown uniforms were observed. The body-guard were doubled at Versailles. The dragoons and the regiment of Flanders were brought up; “and the enemies of the revolution manifested a joy which they had not for some time displayed.”

The officers of the regiment of Flanders, endured very impatiently by the town of Versailles, were entertained at the château, and admitted to the parties of the Queen. The court was anxious to assure itself of their devotions. A fête was given them by the guards of the King; the officers of dragoons, and chasseurs, who were at Versailles, those of the Swiss guards, of the Hundred Swiss, of the provost-marshal's guard, and the staff of the national guard, were invited to it. They chose for the banquet-room the grand saloon, for the exhibition of plays and other entertainments, exclusively destined to the most solemn festivals of the court, and which, since the marriage of the second brother of the King, had been opened only for the Emperor Joseph II. The King's band of musicians was ordered to assist at this festival, the first which the guards had ever given. During the banquet, they drank with enthusiasm the health of the Royal Family; that of the nation was omitted or rejected. At the second service, the grenadiers of France, the Swiss, and the dragoons, were introduced, in order to witness this spectacle, and participate in the sentiments which animated the guests. Their transports increased every moment; suddenly the King was announced; he entered the hall of the banquet in a hunting-dress, followed by the Queen, who held the Dauphin in her arms. Acclamations of attachment and devotion rang through the saloon; with naked swords in hand, they drank to the health of the Royal Family; and at the moment when Louis XVI. was retiring, the band struck up the air, *O Richard! O mon roi! l'univers t'abandonne!* The scene assumed then a character sufficiently significant. The jovial clamour and the profusion of wine banished all reserve. They sounded the charge; staggering, they scaled the boxes as if advancing to an assault; white cockades were dis-

tributed, the tri-coloured cockade is said to have been trodden under foot, and this troop then spread itself among the galleries of the château, where the ladies of the court overwhelmed them with congratulations, and decorated them with ribbons and cockades.

Such was the famous banquet of the 1st October, which the court had the imprudence to renew on the 3d.

In the following passage, we have some of the consequences of these banquets :

The agitation at Versailles, though less impetuous, was not less substantial ; the national guard and the Assembly were restless and irritated. The double banquet of the body-guard ; the approbation which the Queen had manifested towards it, in saying, "*I was enchanted by the pleasures of Thursday*;" the refusal of the King to consent to the declaration of the Rights of Man, his concerted temporizations, and the want of food, excited the alarm of the representatives of the people, and filled them with suspicions. Pétion, having denounced the banquet of the guards, was summoned by a royalist deputy to prove his denunciation, and make known the guilty. "Let us declare expressly that every thing which is not the King, is subject, and responsible," exclaimed Mirabeau, in a voice of thunder ; "and I will furnish the proofs." These words, which pointed at the Queen, silenced the right side. This angry discussion was followed by others, not less animated, upon the refusal of the sanction, and upon the famine of Paris.

We can spare no room for the detail of the disputes and disasters which followed ; the escape and return of the King ; the labours of the Assembly, or the intrigues of the royalists ; but we cannot pass by the anniversary of the 14th July, and the confederation of the whole realm :

It was in the Champ-de-Mars that the federation took place. The immense preparations for this festival were with difficulty completed. All Paris had assisted for several weeks, in order that every thing should be ready on the 14th. At seven o'clock in the morning, the assemblage of electors, of representatives of the commune, the presidents of the districts, the National Assembly, the Parisian guard, the deputies of the army, the federates of the departments, went in procession from the place of the Bastille. The presence of all the national bodies, the floating banners, the patriotic inscriptions, the varied costumes, the sounds of music, the joy of the people, produced a grand effect. The procession traversed the town, and passed the Seine, across a bridge of boats, which had been thrown over in the evening, to the sound of a discharge of artillery. It entered the Champ-de-Mars, through a triumphal arch, decorated with patriotic inscriptions. Each body, hailed with applauses, placed itself in the situation destined for it.

The vast site of the Champ-de-Mars was surrounded by steps of green turf rising one above another, occupied by four hundred thousand spectators ; in the middle rose an altar, constructed according to the manner of the antients ; around the altar, in a vast amphitheatre, were seen the King, his family, the Assembly, and the municipality ; the federates of the departments were placed in order under their banners ; the deputies of the army were in their ranks, and under their colours ; the Bishop of Autun ascended the altar in pontifical robes ; four hundred priests, clothed in white surplices, and decorated with floating tri-coloured cinctures, proceeded to the four corners of the altar. Mass was celebrated amidst the

sound of military instruments; the Bishop of Autun then blessed the *oriflamme*, and the eighty-three banners. A profound silence now ensued in this vast enclosure; and La Fayette, nominated this day commandant-general of all the national guards of the realm, advanced first to take the civic oath. He was carried, in the arms of grenadiers, on to the altar of the country, in the midst of the acclamations of the people; he then, in an elevated voice, in his own name, in the name of the troops, and of the federates, spoke as follows: "WE SWEAR to be for ever faithful to, the nation, to the law, and to the King; to maintain with all our power the constitution decreed by the National Assembly, and accepted by the King; and to remain united to all Frenchmen by indissoluble ties of fraternity." Discharges of artillery, shouts of *Long live the nation! long live the King!* the clashing of arms, the sounds of music, instantly mingled in one unanimous and prolonged cadence. The president of the Assembly took the same oath, and all the deputies repeated it at the same time. Louis XVI. then rising, "I," said he, "the King of France, swear to employ all the powers delegated to me by the constitutional act of the state, to maintain the constitution decreed by the National Assembly, and accepted by me." The Queen being then led forward, and raising the Dauphin in her arms, and showing him to the people, said, "Here is my son; he unites with me in the same sentiments." At the same instant the banners were lowered, the acclamations of the people were heard in one loud and prolonged shout. Subjects believed in the sincerity of the monarch, and the monarch in the attachment of his subjects; and this happy day was terminated by a solemn chant of thanksgiving.

As Louis XVI. had clearly shown his inclination to join the enemies of his country by attempting to escape, the Constituent Assembly were under the necessity of detaining him at Paris; and this has afforded the enemies of freedom a pretence for asserting that he was compelled to sign the constitution. Let them consider the following passage:

The constitutional act was presented to the King by sixty deputies; the suspension was removed: Louis XVI. resumed the exercise of his power, and the guard which the law had given him was under his command. Restored to his freedom, the constitution was submitted to him. After several days' examination: "I accept the constitution," he wrote to the Assembly; "I pledge myself to maintain it from every danger within, to defend it against every attack from without, and to procure it to be executed by every means which it puts in my power. I declare that, instructed by the adherence which the great majority of the people gives to the constitution, I renounce at the conclusion the objections I had made during its progress; and that being responsible only to the nation, no other, when I thus renounce them, has the right to make any complaint."

Notwithstanding this, the King was devoured by regret on perceiving the liberty his subjects were acquiring; and upon the first constitution of the Legislative Assembly, contrived to dissipate the small remains of respect which was still paid him. Proceeding with decency and order, the Assembly sent a deputation of sixty of its members to the King, to announce that it was constituted. He refused to receive them in person, and merely informed them through the minister of justice that he could not give them an audience till the following day at noon. The reader will perhaps recal to mind in this place

the behaviour of Cæsar on an occasion not very dissimilar. He received the senate sitting; an audacious insult, which was afterwards washed away in his blood. Louis XVI. was encouraged to behave in this unbecoming manner by the knowledge of what was going on among the princes of Europe in his behalf. Puffed up by his unfounded hopes, he imagined it was possible to insult the majesty of the people with impunity. For some time he seemed to have calculated rightly. When he thought fit, he appeared in the Assembly, and was received with great respect and enthusiasm, in spite of the insult he had offered to its deputation. The representatives of the people deigned not to remember a piece of contumely which it would have been so easy for them to revenge. On this occasion Louis XVI. engaged to represent the French Revolution to the other potentates in so favourable a manner, as would tend to conciliate the good opinion of Europe. Shortly afterwards, he disavowed the emigration, and wrote to the emigrant princes to return. He concluded his letter with the following words: "I shall consider myself bound to you all my life, if you will spare me the necessity of acting in opposition to you, by the invariable resolution I have taken of maintaining all that I have said." In the next page the historian informs us, that, notwithstanding this letter, the court was at times disposed to allow of foreign intervention. The King's concealed hatred of the constitution which he had so solemnly sworn to preserve, was soon made apparent to all thinking men, by his refusing to permit about his person priests who had taken the oath: and more unequivocally still by his withholding his approbation from the decrees of the Legislative Assembly, 1. against the refractory priests; 2. against the emigrants; 3. for the formation of a camp of 20,000 men. But his next step was the consummation of his dissimulation and treachery: thinking he could "count no longer on any thing but the state of Europe, he despatched Mallet Dupan, charged with a *secret mission* to the coalition" then formed against France. The purport of this *secret mission* was learned afterwards, when the outraged people burst into the sanctuary of despotism:

After the 10th August, there were found, in the offices of the civil list, papers proving the secret relations kept up by Louis XVI. with the malcontent priests, the emigrants, and the powers of Europe. In a report drawn up by order of the Legislative Assembly, he had been accused of attempting to betray the state and overthrow the Revolution. He was reproached with having written, on the 16th April 1791, to the Bishop of Clermont, that if he recovered his former power, he would re-establish the *antient government in its former state*;—to have proposed the war only to accelerate the march of his liberators;—to have corresponded with men who wrote to him in this strain: "War will force all the powers to join against the factious and wicked men who now tyrannize over France, in order that their punishment may serve as an example to all those who may be tempted to trouble the peace of empires. You may count on one hundred and fifty thousand men, composed of Prussians, Austrians, and Imperials, and on an army of twenty thousand emigrants;"—to have been

in reality in accordance with his brothers, whose conduct he affected publicly to disapprove; and lastly, to have constantly opposed the Revolution.

New proofs were brought in support of all these accusations. There was found at the Tuileries, behind a panel of wainscot, a hole bored in the wall, and closed by an iron door. This secret place was pointed out to the minister Roland, and in it were found a detail of all the plots and intrigues of the court against the Revolution; projects tending to strengthen the constitutional power of the King with the popular chiefs, and to bring back the old régime with the aristocrats: the manœuvres of Talon, the arrangements with Mirabeau, the accepted propositions of Bouillé, and some new intrigues framed under the legislative. This discovery enhanced the general fury against Louis XVI.

From the extracts we have given, the reader will be able to appreciate this excellent work; which, though tainted with an unfounded panegyric of Louis XVI., deserves to be in the hands of every man in Europe. It is not possible to obtain from any history of the times that has ever fallen into our hands so perfect an idea of what the Revolution was, and how it was effected. We ourselves should be glad if we had room to follow the author through his admirable account of the *reign of terror*; the fluctuations, exertions, and exhaustion that followed; the Government of the Directory; the constitution of *Sièges*; the victories and elevation of Bonaparte. M. Mignet is a genuine friend of freedom, and his book will do good service to its cause. We certainly could wish to see Louis XVI. more truly depicted, and the general detail a little extended; but, as it is, we recommend it to our readers as a book full of important instruction, and written in a masculine, energetic style.

## SONG.

N<sup>o</sup>rr heed the flight of time, love,  
Our hearts are not beneath his sway,  
True love is aye in prime, love,  
Whate'er they say, whate'er they say!

The scythed god may steal, love,  
Our locks, or touch them thick with gray,  
But dulls not what we feel, love,  
Whate'er they say, whate'er they say.

I breathed no sigh in youth, love,  
My constant heart would now gainsay;  
Love finds a charm in truth, love,  
Whate'er they say, whate'er they say!

Then turn thine eye on mine, love,  
Where passion's beams will always play  
Like fire in Vesta's shrine, love,  
Whate'er they say, whate'er they say!

Feb. 27, 1826,

Bron.

## PRACTICES OF LAWYERS IN CALCUTTA.

A PAMPHLET on this subject has recently found its way to England. The author is an attorney and a reformer,—a rare combination enough, as those gentry are usually great sticklers for “the wisdom of our ancestors;” but, what is more strange still, he addresses his proposed reforms to a Chief Justice. With what possible chance of success such suggestions could be proposed to such a quarter, we leave our readers to say; but as our pamphleteer belongs to the glorious company of the reformers, and as, moreover, his ‘Observations’ refer to the administration of justice in India, he has a double claim upon our attention.<sup>1</sup> The semi-anonymous signature, C. T., is all we have to guide us in our conjectures as to the source whence spring the ‘Observations’ before us, though the more curious may avail themselves of the list of practising attorneys which the Calcutta Directory furnishes. Modesty it may be, or timidity, that withholds the author from avowing himself, although these are qualities which rarely appertain to the profession to which he belongs; or, haply, the feeling of apprehension inseparable from the act of disturbing a nest of hornets may have had its weight. Be that as it may, our author is an attorney; and against attorneys and all their tricks, machinations, and contrivances, are his remarks levelled.

Of all existing abuses none are more inaccessible than those connected with law. They are fortified with a double proportion of prejudices and jealousies; the most approved fallacies are enlisted in their defence; a formidable band of precedents is arrayed in their support; batteries of authorities are directed against their assailants; lawyers trained in all the mazes of sophistry and delusion are their champions. What! would you with sacrilegious hands scour off the “venerable rust of antiquity”? Would you assail institutions which the “collected wisdom of ages” has pronounced perfect, and press the rash spirit of innovation into the very precincts hallowed by “our wise ancestors”? Thus he who would attempt the reform of any legal abuse must calculate on exposing himself to no ordinary portion of hostility and hatred;—he is regarded as little better than a parricide. Fortunately for our author, he manifests no disposition to alter decrees established; he disturbs not the course of precedents, processes, or pleadings; and he is content to leave the venerable John Doe and Richard Roe in full possession of all their antient rights. His concern is with his brother attorneys alone; and, truly, the picture he draws of the fraternity is dismal enough; and making all due allowance for the suspicion with which an *approver’s* testimony is to be received, if

<sup>1</sup> The pamphlet is entitled, *Observations, &c. upon the Present State of the Practice in the Supreme Court of Judicature at Fort William, in Bengal, particularly with respect to the Attornies of the Court; including Suggestions for certain Remedies, to correct several Abuses now existing.* Calcutta, 1825.



one half of what he details be true, the *law-consuming* population of Calcutta have no great reason to felicitate themselves on the manner in which that commodity is supplied to them. The interior arrangements of an attorney's office are thus described :—

In almost all the attorneys' offices are retained—a Banian, a Sircar, a head-writer, their numerous attendants; a set, also, of their dependents, called apprentices, (who write or pretend to write without salaries); and, to close the pack, the *bringers of business*, the law-brokers, the *bubbuliah*s, (or promoters of domestic broils,) or anglice eves-droppers. On the whims and caprices of all those persons is the attorney thoroughly dependent. With the banian, sircar, or the head-writer, he is most probably involved in debt, and possibly may be found to be in partnership with one of them. To the *bringer of business*, he either allows a salary, or gives a per-centage on the bill of costs, seldom less than ten per cent.—(p. 8.)

A formidable array, truly, and gives one some idea of the cost at which “the law's delay” is purchased in Calcutta. To see the luxurious habits which people acquire in India! In England, an attorney is well content to drudge on in his vocation, too happy if he can find subjects to practise on, and asking no better than a good feasible feud on which to exercise his talents. But the attorney in the East is too noble an animal to hunt down his own game: he must have his jackals, his *bringers of business*, his decoy-ducks, his *bubbuliah*s. He will not even condescend to promote strife in his own person, but must set people by the ears by deputy! What a beautiful exemplification of the division of labour is here! The respective functions and duties of each member of the copartenary are then laid down, and the arts by which business is procured are finely illustrated. There appear to be “no compunctious visitings” as to purloining each other's clients; on the contrary, he who can show the greatest dexterity in this species of petty larceny, seems to be held in the highest repute by his fraternity. To such practices, however, our author shows no countenance. “Live and let live” appears to be his maxim; and rather than resort to acts unbecoming an attorney and a gentleman, he is content to retire and to leave the field to less scrupulous competitors.

In England, the circumventing a man in his profession is thought to be disgraceful; here, strange to say, it is not, but is rather considered as ‘a good joke.’ It is no uncommon thing to find an attorney on one day employed for the plaintiff, and on the next for the defendant.—(p. 12.)

The manner in which business is negotiated is thus shown :—

It has many times happened to me that I have been offered causes of great weight, if I would give the managers certain sums of money. At other times I have been offered large causes, out of other offices, on very moderate terms; nay, I have been offered the whole Native business of offices, together with the whole Native establishment, would I give certain sums of money (and not very large ones either).

Then follows the declaration :—

But I do on my honour declare, that I neither directly nor indirectly gave any sum of money, nor promise, in order to obtain business.—(p. 10 and 11.)

It appears, by the statement of the author, that in 1814, at which period he arrived in India, the number of practising attorneys amounted to twelve. Sir John Royds, the then Chief Judge, thinking that number sufficient for the legal necessities of the inhabitants, would not suffer more to be put on the roll. In 1821, this prolific community had increased and multiplied to the number of forty, at which period a learned barrister,<sup>2</sup> since numbered with the *rats*, was wont facetiously to term them the "forty thieves,"—an appellation, by the way, somewhat borne out by the evidence before us. By the last census of 1825, they seem to have reached the number of fifty-three. Here, then, in a period of eleven years, we have the attorneys multiplied to upwards of four times the number for whom, according to Sir J. Royds's hypothesis, there is employment. Now, let us suppose that the combined talents and assiduity of these gentry, aided by the misgovernment of the Company, and by the march of improvement, can succeed in doubling the supply of the matter of litigation in the same period of eleven years, (and it is hardly possible that even such active stimuli can do more,) still we shall find a vast disproportion between the candidates for employment and the work to be done. We shall find twenty-four sleek and well-fed attorneys, and twenty-nine starving. But, unfortunately for the "greatest good of the greatest number, for the greatest length of time," the twenty-nine will not starve quietly, as nature intended: they will still struggle, and elbow, and jostle, to approach the table at which there is no place for them; and hence all the evils, all the rapacity, the pettifogging, the chicanery and deceit, of which our author complains. The case is simply one of an excess of labourers over the *quantum* of employment procurable,—a state of things by no means confined to the legal profession. Experience has shown the futility of attempting, to correct this universal evil by violent remedies;—time and suffering are the medicines nature has supplied.

With regard to the specific case before us, it may be remarked, that the Supreme Court must naturally be too much interested in maintaining its own respectability, (which must suffer greatly from the existence of such practices as appear to obtain in Calcutta,) to neglect adopting any measures in its power which may seem calculated to purify the avenues to the court; and, as neither power nor patronage is greatly interested in upholding the system as it now exists, even the most scrupulous might be content to intrust the remedy to the Judges.

Our author is not, as he observes, "a discontented person, complaining without offering a remedy." No: he has chalked out a plan,

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<sup>2</sup> The individual here alluded to is, we believe, Mr. Sergeant Spankie, formerly Editor of the 'Morning Chronicle' in its most democratic days, more recently Advocate-General of Bengal. If the fire of liberality ever *actually* warmed the breast of the learned gentleman, the Eastern clime has produced a strangely chilling effect; for the period of his holding office in India was one of unremitted hostility to the press, and persecution of those who advocated its freedom. In which of his capacities was Mr. Spankie sincere? or did he play the lawyer in both?

racked by tables and calculations, by which harmony is to be restored, and the spoils are to be more equally divided. The unfortunate client is indeed lost sight of in this arrangement, or is remembered only as the circulating medium by which these operations are to be effected. The grand financial measure by which this consummation is to be attained, is, the pensioning off of a certain number of attorneys, to make room for others. As a preliminary step, however, all the Native writers in the offices are to be discharged. With respect to this sweeping writ of "*levari facias*," which our man of law would issue, it is not very easy to see how such a procedure is calculated to forward the reform in view. But even admitting its efficacy, what shall we say to the justice of the measure? The author says—

I am far from wishing it to be understood that I condemn all Native writers; but I do assert that, in this country, more of our distressed countrymen might be employed as writers than are so.

Does the writer of the above sentence reflect that the Natives and Indo-Britons, whom he would thus unfeelingly turn adrift, cutting them off from the few situations which our selfish and exclusive policy has left open to them, are also our fellow-subjects, and have claims as just and rights as well-founded as our white "distressed countrymen"? Is it wise, politic, or humane, to draw still closer around them the line of demarcation, which already separates the unfortunate Natives of the soil from their arrogant and monopolizing governors?

To pension off a certain number of attorneys on condition of their giving up business, is the *panacea* by which the *plethora* complained of is to be cured. We fear this will turn out to be but a nostrum, and that our author, however conversant he may be with *remainders* and *reversions*, is but poorly qualified to administer *remedies*. The plan of buying off the superiors in order to bring forward the inferiors, is at all times an expedient of questionable utility; but in the present case it is peculiarly objectionable, because, on the writer's own showing, the class to be brought forward are supernumeraries. But let us see how this retiring fund is to be raised. He proposes that a percentage should be levied on the salaries of those who hold the offices of the Court, and that out of this, provision should be made for any eleven attorneys who could thus be bribed to retire. Now, either the placemen who are to be subjected to this income-tax are overpaid, or they are not. If they are *not* overpaid, the proposal is unjust and absurd; unjust, as depriving them of the fair remuneration of their labour, and absurd, as appropriating the produce of this unjust taxation to the encouragement of a class for whom confessedly there is no demand. If, on the other hand, they are overpaid, (and that they are will hardly be questioned by any but themselves,) let their salaries be reduced by all means. But pray, why are not the public to derive some benefit from this laudable retrenchment? Is it that justice is already so cheap to them—stamps, duties, and commissions so light—bills of costs and fees so trifling—that the happy state of the suitor admits of no further amelioration? It is much to be wished, indeed, that it had sometimes occurred to the author, in his moments of in-

spiration, that a third party is somewhat interested in this litigation of lawyers. A person of his long experience and intimate acquaintance with the machinery of the law, might have furnished some valuable information as to the best mode of simplifying the tedious processes of the Courts, and of diminishing the costs to which suitors are subjected; and herein he might have done good service to the community. But the existence of a public seems wholly to have escaped the notice of this disinterested reformer; his sole concern is how a more equal distribution of employment can be effected, and in the prosecution of this object, cases are thrown in as make-weights, and clients are transferred as unceremoniously as the live-stock on a farm.

On the whole, we are inclined to think, that although the practices carried on by the legal fraternity at Calcutta, as detailed in the statement before us, are not of the most creditable description, still the system had best be left to correct itself; and even if interference were advisable, the remedy proposed is by no means recommended either by its probable utility, or by the soundness of its basis.

Whilst on the subject of the administration of justice in India, we cannot avoid congratulating that unfortunate country on the symptoms which have at last manifested themselves of a disposition to extend the liberal system of the day to our Indian subjects. Mr. Wynn's proposed Indian Jury Bill is likely to prove an important improvement in our colonial policy; and without too closely scrutinizing the motives which may have led the President to turn his eyes to the East, the population of India will be content to accept the measure as a grateful boon, and will hail it as an earnest of future concessions to be granted them by Parliament. Nothing is to be expected from the selfish and heartless policy of Leadenhall-street—no community of interests exists between the oppressors and the oppressed. It is to Parliament alone that India must look for redress or justice. With regard to the constitution of the Supreme Court of Judicature in India, defective as it is, and shorn of some of its brightest beams, still dearly cherished is it by our unfortunate fellow-subjects in the East. It is the only semblance of an institution they possess—the only safeguard it has pleased their country to bestow on them against absolute despotism; it is the hope which remains to them whilst all the evils of Pandora's box are raging around. It is not because a Judge *may* sometimes be found sufficiently subservient to descend from his station as umpire between the governed and their governors, and to enter into an unholy alliance to barter away the rights of which he is the guardian, that we are to prize the less highly this valuable institution. Deeply indeed must we deplore such back-slidings, but our affliction is not without solace; our eyes may turn from Bengal to Bombay, and behold the refreshing spectacle of judicial firmness and integrity, resolutely resisting the solicitations of power, and refusing to plot against the rights of the people, or to surrender the sacred trust it holds for them into the hands of a despot.

Look here upon this picture, and on this—  
The counterfeit presentment of two Judges.

## ON WOMAN.

WHEN the first ray of light serene  
 O'er infant eyes its lustre sheds,  
 Who then with gladness hails the gift,  
 And e'en that gladdening treasure dreads?

Who—as the winged years fly on,  
 And nobler scenes engage our care—  
 Marks at each step our onward course,  
 The open foe—the latent snare?

Who is it that in health imparts  
 A livelier hue to Nature's bloom?  
 Who bids the drooping spirit rise,  
 And brightens e'en the sick-bed gloom?

Who mitigates the venom'd pangs,  
 Inflicted by a slanderer's tongue?  
 Who calms the fiercest passion's rage,  
 And lulls them as by syren-song?

When wayward fancies urge the soul,  
 And duty's claims neglected lie—  
 Who kindly veils our frailties o'er,  
 And scans them with a lover's eye?

When, as each cherished joy subsides,  
 To each with closer grasp we cling—  
 Who mans the sinking powers of age,  
 And breathes on life a youthful spring?

And when th' Almighty voice recalls  
 The care-worn pilgrim to his rest,  
 Who, in remembrance, fondly dwells  
 On scenes her earlier fortune blessed?

'Tis She—ordained, by Heaven's decree,  
 Our Parent, Guide, Associate, Friend—  
 Each joy, by sharing, to enhance,  
 Each grief, by softening, to amend.

In whom, with intermingled grace,  
 The mild with sterner virtues blend;  
 In whom each tie we dearly prize,  
 Finds both its origin and end.

A. L.

**LORD AMHERST'S OWN PICTURE OF THE PRESENT STATE  
OF INDIA.**

MR. MURRAY'S 'Representative' has borne frequent marks of its projector's connexion with official personages, in the private correspondence which it has occasionally procured from quarters where it could not have been otherwise attainable. One of the most instructive, and, but for its melancholy truths, we might say amusing specimens of this, is to be found in a long letter, published in its 34th Number, on the 4th of March last, and bearing date from Calcutta, the 20th of September 1825. This is so evidently the production of Lord Amherst's own hand, addressed probably to his excellent friend and patron, Mr. Canning, who gave so glowing a picture of his lamb-like qualities, in the House of Commons, that we have assumed it as his beyond a doubt; and few, we think, can rise from the perusal of it without the same conviction. Its internal evidence is sufficient to prove it the production of "one having authority," and knowing the inmost thoughts and wishes of the Governor-General's heart.—But, in addition to this, we are borne out in our conclusion by such circumstantial evidence, as leaves no doubt whatever on our own mind of its exalted origin and composition.

Now that the press of India is so completely under the dominion of absolute and irresponsible power, the intelligence furnished by the public papers of that country must of necessity be incomplete; for although there is no want of information, as to quantity, on the subject of the Burmese war, we know well that any paragraph contained in the letter of a correspondent, reflecting on the higher authorities in their management of the campaign, would be carefully expunged before publication, or softened down in such a manner as not to endanger the existence of the paper in which it was to appear. Our only source of full and correct information is therefore private communications from the spot, and on these we can generally rely. But, whenever these may contain unwelcome truths, the cry is—"Who can depend on mere gossiping private letters, of whom no one knows the writer?"—and the most frequent utterers of such a cry are the very men who, whenever a private letter tells the tale they wish, are the first to blazon it abroad to the world as worthy of publication. Witness the senseless clamour of Mr. Wynn and Mr. Freemantle in the House of Commons, and Mr. Astell and Sir G. Robinson at the India House, where the parties seemed to think that all letters addressed to themselves from India were worthy of credit, but that those addressed to others from the same quarter, and probably often from the same individuals, were wholly undeserving of notice.

To return to Lord Amherst, and his letter to his "dear friend," as published in the 'Representative,' we propose giving the whole a place in our pages, paragraph by paragraph, for the purpose of showing

what the state of the country and of the war is, according to the most favourable representation that could be given of it by one who takes up his pen for the avowed purpose of defending the policy pursued, and giving the best possible account of the existing posture of affairs. The writer begins thus:

Calcutta, Sept. 26, 1825.

MR DEAR —. Your letter of the 22d April reached me a few days ago. Shortly after the date of it, you will have been gratified by hearing of the signal success of Sir Archibald Campbell over the Burmese; and you will further have received pleasure from the success of our operations in all quarters up to the commencement of the rainy season. In fact, by the month of April last, we had deprived the enemy of all the conquests he had made since the days of Alompra, and had once more nearly brought the Burmese empire within the confines of Ava Proper. Since May, military operations have ceased. We have the fairest prospect of recommencing them by a march upon Ummerapoora; and though we have lately heard again of large bodies of men collected to oppose our advance to the capital, *I am not afraid* of any effort they can make to arrest our course. The only annoyance they could give us would be by getting round Sir Archibald's flank, and intercepting his communication with Rangoon; and I must acknowledge that *I am not without uneasiness* that some such movement may be attempted.

The features of this short paragraph are sufficiently remarkable. It is quite easy, no doubt, in a "private and gossiping letter," (for, after all, *this is no more*,) to talk of success in *all quarters*, where there are no accounts ever published by the opposite party, and where there is none to dispute what may be advanced by the narrator. But even taking their own account of the matter, we are at a loss to know what *success in all quarters* means, when we remember the sufferings endured at Rangoon—the defeat at Ramoo—the repulses in various attacks on stockades—the defeat of Commodore Hayes's flotilla on the Arracan river—the retreat of the division that attempted in vain to penetrate across the country to the north—and the devastating havoc made in every division of the army, not more by the effects of fatigue and climate, than by the shameful mismanagement of the commissariat department, and the want of all necessary and useful supplies. If this be *success in all quarters*, it must be hard to say what would be considered *failure*. The "not being afraid" of one threatened danger, and being "not without uneasiness" as to another, sufficiently betokens who the writer is that could have to sustain these weighty cares, and is, besides, a characteristic symptom of the wavering and uncertainty for which he is known to be so remarkable. The next paragraph proceeds to say—

Our policy hitherto, with regard to Pegu, of which kingdom we are masters, has been to conciliate the inhabitants by kind usage, but not to excite them to revolt, for which they have hitherto shown no disposition, and which we should of course be pledged at all hazards to support. We have been anxious to bring this war to a conclusion by NEGOTIATION, and I am at a loss to account for the OBSTINACY of the Court of Ava, in refusing to treat, after the severe losses they have undergone. No opportunity has been lost of manifesting our readiness to terminate the war, nor should we be so foolish as to refuse to listen to terms because the mode of offering them might be

different from that established in Europe. Our Government is, I am sure, ready to deal with them in their own way; but the only semblance which we have yet seen of a *desire* to negotiate was caused by the rapid advance of Sir Archibald upon Prome, and was intended to prevent his occupation of that important post. His offer to treat with them at Prome was rejected.

The assertion of conciliating the inhabitants by kind usage, would have had more weight if it had come from one of themselves. No doubt, tyrants and conquerors always insist that they treat their subjects and their captives well. The very planters and slave-drivers of the West Indies pretend to do the same thing; and the Sultan of the Turks, who slits the ears and noses of hundreds per day, has himself duly proclaimed as the "Mirror of Clemency." Nadir Shah, indeed, while rearing pyramids of bloody heads at Isapahan, was praised by his courtiers for his merciful disposition; and, after the same fashion, while the British troops (to the shame of those who led them on, be it spoken) were plundering the temples, sacking the towns, and slaughtering unresisting captives, all of which has been done in this Burmese war, their "lamb-like" ruler talks of "conciliating them by kind usage," as if every creature in the country had been clothed, fed, and sheltered, at their conqueror's expense. Verily, the rulers of the earth are hard to be understood. The truth, however, will escape, even from their cautious pens; as we find, in the very same sentence, the instructive admission—that if these "kindly used" people were to revolt against their legitimate rulers, the British Government would be pledged at all hazards to support them in their rebellion! Here is a doctrine to be propagated in the East! The same individuals who would banish any one of their own countrymen from India, for daring even to suppose that the Government under which he had the misfortune to live was not the best of all possible governments, have no scruple at going into another country, and assisting the people to throw off their allegiance to their lawful sovereigns, to take arms against their rulers, and to overturn the established government! In short, these men extol rebellion as a virtue deserving their especial support, when it is to be fomented in the country of another power; though they would hang or shoot any man for daring to attempt, or even to hint at such a course of conduct in their own. And these are Christian rulers, who are professing a desire to teach the idolators of India a better creed, and make them do to others as they would be done unto. How well they themselves observe this maxim, let this striking instance prove.

The next admission is a powerful one. The people who had been hitherto so "successful in all quarters," instead of following up the tide of victory to complete the conquest, (as would naturally have been the case, had victory always really crowned their efforts,) were unaccountably become so sick of their "successful career," that they were most anxious to conclude the war by negotiation. Nay, so impatient were they for an end to all their "successes," that the humbled Burmese might have every thing "their own way," and dictate almost what terms they pleased. Lord Amherst would not be so



foolish as to quarrel with them about the *mode*—not he, indeed! He has grown much wiser since his embassy to China, where all the objects of his mission were defeated, from his scrupulous refusal to knock his head nine times on the floor. We confess, however, that his own obstinacy on that occasion ought to make him the less surprised at the obstinacy of the Court of Ava in refusing to treat. In the case of Lord Amherst at Peking, it was the sacrifice of a great national object to a silly overrating the importance of a senseless custom. In the case of the Court of Ava, it is a determination to make no sacrifices of their country's interests, but to defend "their altars and their hearths" to the last drop of their blood. Which sort of obstinacy is the most praiseworthy, the reader may decide. The letter continues:

But if the Court perseveres in this determination to refuse all *amicable adjustment*, we shall have nothing left for it, but to *retain our conquests*, and *dismember the empire*; and I confess I should now be very glad to see any disposition on the part of the Peguers to separate themselves from Ava, and to assert their own independence. In this, I believe, the Government would not now hesitate to ENCOURAGE them. If the population were to rise, and to express a wish to set up a king from their antient stock, a very trifling assistance from us would be sufficient to consolidate the revolution, and Ava would once more become a remote and powerless state.

The writer gets more and more enamoured of rebellion as he proceeds. The "amicable adjustment" of which he speaks, and which, it seems, the invaded people persevere in refusing, is, probably, a proposition for the Burmese to pay all the expenses of the war undertaken for their destruction, and to send the destroyers of their temples, the despoilers of their wives and children, back again to India, with all the honours and booty they have acquired, leaving the people of Ava to repair the devastation which their invaders have committed, out of their own impoverished resources. What "amicable adjustment" could an unjustly-invaded people consent to make, as long as there was a hope of driving the usurpers of their soil into the waves or the wilds through which they came? Their stubborn resistance of all overtures is highly creditable to their courage and their patriotism; and we see no reason why we should praise our own countrymen to the skies for their determined preparations to repel an invading army from France, and not award the same honours to the "barbarians" of Ava, as they are sneeringly called, for the exercise of the same heroic devotion. "But," says my Lord Amherst, "if they will not yield us all we ask, and pay our troops for butchering them, we must even follow the old beaten track, by which all India has been progressively wrested from its lawful possessors: we must 'retain our conquests,' and 'dismember the empire.'" This is the robbery which great men may commit with impunity; though, if a starving individual were to attempt to dismember Lord Amherst's garden, or appropriate to his own use a square rood of land belonging to his Excellency, he would be denounced as a miscreant, and hung up in chains, as an example to deter others from similar audacity.

The revolutionary spirit which is so vehemently desired in Europe, as the source of all the mischief that afflicts mankind, and on which the Holy Alliance and their admirers pour forth such eloquent strains of denunciation, is better understood in Asia; and even the "lamb-like" Lord of the Bedchamber, after passing the Cape of Good Hope, has no shame in avowing doctrines that would shock the ears of any but the most determined republicans in this country. He wishes the people of Ava would "rise" to a man, and "assert their own independence:" he is quite sure that the British Government would "encourage" them, and give their ready assistance to "consolidate the revolution." Why, it is not many months ago that the whole of the loyal press of England was infuriated against Mr. O'Connell, not for going the length of Lord Amherst, and wishing the people to revolt; or talking of the encouragement which they might receive from France if they set up a Catholic king from their own "antient stock;" but for merely saying, that if a revolution were really to happen, he hoped they would have the good fortune to find a talented and prudent individual like Bolivar, to bring it to a happy close. For an Irishman to say this only, in his own country, he being, too, one of the sufferers under its present system of rule, was deemed a crime of the deepest dye. For an Englishman, however, to go into another country, and, in the mere wantonness of power and lust of conquest, without any excitement whatever from sufferings of any kind, to induce others to revolt, and to offer them powerful encouragement, appears to be thought a very harmless, if not, indeed, a praiseworthy proceeding! So capricious are the laws of morality, and so much does even the idea of justice, which men pretend to regard as the same under every sky, depend entirely on time, person, place, and other accidental circumstances! The writer proceeds:

Of all the conquests we have made, Arracan has given the Government the most satisfaction. It was a point of honour to avenge the insults and injuries we have suffered, on the very spot from whence they have proceeded. Arracan besides contributes materially to the security of our frontier, and may, I think, be made a healthy station, notwithstanding the injurious effects produced this season by the climate. But I very much doubt whether we shall be able to march a strong detachment, as we intended to do, across the mountains from Arracan to the valley of the Irrawaddy. The Government had it much at heart to open the communication, but the natural obstacles are of the most formidable description.

For the first time, I believe, in India, an invading army has conquered and maintained possession (for one season) of Assam. While, on the one hand, we have deprived the Burmese of every foot of sea-coast which they possessed, we have, on the other, effectually excluded them from the Burram-pooter. The petty state of Cachar is restored to its antient sovereign, and Gumbheer Sing, by a gallant enterprise, has repossessed himself of Manipore, in which territory there does not remain a single Burmese soldier.

That any portion of the conquest made should give a just government satisfaction, is what we do not pretend to understand. The appropriation to one's own advantage of the property of another, from any other motive than extreme necessity, is not to be justified

for a moment. But no such necessity existed in the case in question: the conquest is, therefore, a spoliation; and nothing could satisfy a just mind but restoring it to its rightful owners. To keep its plundered treasures, however, is that which gives the despoilers "the greatest satisfaction," and, therefore, this is the course preferred. But says the noble Lord, "It was a point of honour to avenge the insults and injuries suffered on the very spot from whence they proceeded." Now this rule, also, which he observes himself, his supporters in England will not permit to be observed by others. The men whom Lord Amherst and his colleagues have banished, plundered, and insulted, heaping injuries on their heads even after they had been already bent to the earth by persecution, are not suffered to return to the spot where these insults and these injuries were received; they are not permitted even to talk of this "point of honour" in "avenging their wrongs," without having fresh insults, and still greater injuries, accumulated on their devoted heads, by the refusal of every claim for redress, and the rejection of every prayer for justice. The day may yet come, however, when their wrongs shall be avenged by some nobler triumph than that of despoiling the innocent for acts done by others who escape.

The reader will observe, that the admission is here made of the Government having "very much at heart" an object which it did not accomplish, notwithstanding its successful operations in *all quarters*; and also the fact, that *restoring* antient sovereigns is regarded as a virtue in Cachar, though *dethroning* them is the practice in India; while it is called "a gallant enterprise" for a Native chief to regain his rights in Munnipore, though it would be deemed high-treason for him to attempt it in any part of Hindoostan. After this instructive recital, the noble writer goes on to say:

And now *I am told* from England that *our* management of the war is very questionable—that *we* chose the wrong season for Rangoon—that much inconvenience has arisen from the fluctuation of *our* plans—and all this is alleged upon the authority of *private letters* from Calcutta.

The Governor-General has apparently received what is familiarly termed "a wig" in India; in plain terms, a letter of remonstrance and reproof from the Court of Directors, or Board of Control: nor does the continued public approbation of these distinguished bodies at all render this improbable; for it is notorious that both of them condemn in their secret official communications, what they loudly applaud in their public speeches and harangues. This sort of dissimulation and deceit is in no disrepute in the higher circles; though the same practice would effectually exclude a man from all good company in private life, so capricious are the distinctions of diplomacy. But the most amusing part of this remarkable paragraph, is the sort of contempt shown for "private letters" at its close. And pray, what else but a "private letter" is this very communication, that affects to despise such sources of information? It is headed in the 'Representative,' "Private Correspondence." It is addressed to some "dear" friend, whose name is struck out, and supplied by a blank. It is

without a name, either real or assumed, at the end; and is in all respects as completely an "anonymous private gossiping letter" as the very ones on which it would cast such a slur as to deprive them of all claims to credit. The writer proceeds :

The statement I have given you above is the *best answer* to the first charge; besides which, I have the satisfaction of telling you that the Government here, having received from *the first authority at home* a sketch of operations for the *next* campaign, that identical plan was already accomplished in the *last*. We attacked Rangoon in May because we were ready—because we took the enemy completely by surprise, and therefore lost not a man in the attack—because there was a fair prospect of its immediately bringing the enemy to terms—because the *best authorities* agreed that the Irrawaddy was most easily ascended in June—because we thereby relieved (and it was our only means of relieving it) the pressure upon our own frontier, where at that time of year we could not venture to send a single sepoy—and because the Madras army would be one week on board ship, instead of six or eight in December or January; added to which, was the prodigious saving of time—and, in fact, the battles of the early part of December could not have been fought till the following year, had the attack upon Rangoon been postponed till the cold season.

Now the truth is, that if the statement given is the *best answer* that can be offered, all must admit that it is a most unsatisfactory one. It is admitted, in the most unequivocal manner, that the war was so difficult and unsatisfactory, that the greatest efforts were making to bring it to a close on any terms that could be procured; but surely, if the management of the war had not been—not merely questionable, but positively bad, the forces would have been in Amerapoorah in six months after landing at Rangoon, and the country subdued with one-fourth the loss of time, blood, and treasure. As to the plan of operations being a good one, because the first authorities at home, who were probably as ignorant and incompetent to judge as the authorities abroad, had sent out a sketch of the very *identical* plan pursued, (although such a coincidence is little short of a miracle,) it is a *strange* mode of proof, to say the least. Both might have been equally bad; and that they were so, the protracted duration of the war is sufficient to demonstrate.

We cannot pass this assertion by, without remarking on the folly of attempting, at a distance of so many thousand miles, to lay down plans of operations, which can only be founded on information of events that have already transpired six months before they can be known here, and must have happened twelve months, at least, before the plans founded on them can reach the place on which they are to be carried into execution. The absurdity of attempting to govern a country so far off, must strike the most casual observer. If there should be any to whom it does not appear monstrous, let them think for a moment what would be the condition of England, if its parliamentary and military proceedings were originally framed in India, and that nothing could be done here without instructions from a king and his ministers residing in Hindoostan. The writer continues :

As to the fluctuation of our plans, I should like to know where it is to be

reached—to any extent I mean beyond the natural effect of fresh information reaching us in matters of which we were in entire ignorance. During the summer and autumn of last year, considerable doubt prevailed as to the most practicable route to Ava—whether through Munnipore or Arracan. One or other of these prevailed according to the reports we were able to collect; but Dacca was the point to which every thing was to be directed in either case. The march of supplies and reinforcements was steadily pursued to that quarter during the whole of the rainy season. The mind of Government was made up by the time that active operations could commence, and I will venture to say, that not a day was lost, and scarcely an order countermanded, during the whole of the perplexing and embarrassing season which elapsed previously to taking the field.

The fluctuation of plans is admitted in the same breath by which it is denied. "Aye!" says the writer, "very true; there have been fluctuations, but only such as were the natural effect of our being, day after day, informed of matters of which we were before in entire ignorance." Why, this is sufficient to produce the greatest possible fluctuations. But then the question as naturally arises, "Why this ignorance, when you possessed all the means of acquiring the most accurate information?" The answer is not easy; but we may see in this one of the many pernicious effects of fettering the press, and shutting out all information but that which is agreeable to men in authority. In such a state, men in office can learn little or nothing from others, but go on groping their way in the dark, and making false steps every minute; and the evil which they suffer in consequence is a just punishment for their folly. So far, however, is it from being true that there was "scarcely an order countermanded," that it may be doubted whether there was ever a war undertaken in which so many contradictory orders were issued as at the commencement of this. We have given one striking instance in a military diary, published in one of our earlier Numbers,<sup>1</sup> where every succeeding day brought fresh orders countermanding those of the preceding, till, at last, the uncertainty was so great, that no orders were attended to, under the impression that twenty-four hours would see them certainly annulled. So much for the veracity of this writer, who speaks with such knowledge of the "mind of Government" being "made up," as if he were the sole agent in the whole affair. What follows, however, is worthy of especial note:

To judge of the contents of these PRIVATE LETTERS by the quotations of Mr. Hume and Sir Charles Forbes, I should say they betray a most extraordinary ignorance of the matters of which they treat, and, I am afraid I must add, no little portion of malevolence. But I must acknowledge that I am made SERIOUSLY UNEASY when I observe the effect on those who at least might have had access to authentic documents, and who therefore should not have taken their creed from any such productions.

As we remarked before, the writer of this "private letter" in Mr. Murray's 'Representative,' seems to have an unconquerable antipathy to all "private letters" but his own. The writers are ignorant, only

<sup>1</sup> Oriental Herald, Vol. I. p. 675.

because they differ from him, who is, of course, the standard of all wisdom. But they are not only ignorant—they are *malevolent*. That is a bold phrase, and one of which the writer does not appear to know the etymology or true meaning. They who complain of the horrors of this war, and pray for its speedy termination, are not so liable to the imputation of wishers of evil, or an inclination to hurt others, as they who desire the population to be stimulated to rebellion for their own destruction, and talk of dismembering the empire and dividing the spoil. Among the first class, are the writers of the “private letters” quoted by Sir Charles Forbes and Mr. Hume; among the latter, is the writer of the “private letter” in Mr. Murray’s ‘Representative’—or, in other words, Lord Amherst. Who else but himself could write in the imperial style of this production? Who know so well the mind and determination of Government? Who speak so accurately of his reproofs from home, and the plans of the highest authorities? and who, above all, could so often talk of his being “*made seriously uneasy*” by the effects produced on the authorities here by the “private letters” adverted to? He plainly indicates who it is that appear to him to have been influenced against him by these means; namely, “those who *might* have had access to authentic documents.” And who were they?—no other than the members of the Board of Control, and the Secret Committee of the India Directors. To them alone could these documents be accessible: for when the Report on the Massacre at Barrackpore and other equally important papers have been moved for by Sir Charles Forbes, Mr. Hume, and others, they have been refused both in Parliament and at the India House; so that the same individuals, of whom Lord Amherst speaks when he says—“And now *I* am told from England that our plans were wrong,” &c. are they on whom this effect has been produced; and here, indeed, is the proof of its development. “But,” says the noble Lord, “these gentlemen should only depend on the authentic documents within their reach, (meaning official documents written by parties interested and especially empowered to give false and delusive statements in their own justification and defence;) they should have heard what *I*, and *my secretaries*, who write by my dictation, have said of *our own doings*; they should not ‘take their creed from any such productions’ as the private letters of any one else.” Who, then, shall pay any regard to the “private letter” of the ‘Representative’? or what indeed, after all, is every species of written information, but the testimony of some one individual to certain facts coming within his own particular cognizance? Nearly all the information contained in every newspaper originates in private correspondence: and every thing written in Encyclopædias, Reviews, and other periodical publications, besides a vast number of larger works, is from the hands of different individuals, as often anonymous as other wise, and quite unknown to the world at large. This attempt to throw discredit on “private letters” is, therefore, an unworthy subterfuge, in order to weaken, if possible, testimony that is uniformly unfavourable. Private letters are valuable enough when they tell in

favour of the noble Lord and his measures ; and, therefore, this letter of his own has been put so prominently forward in the ministerial prints. But there is one rule which is always safe to be observed respecting such productions, and it is this—to weigh the internal evidence carefully ; and if from this it can be clearly shown that the writer contradicts himself, and has an evident interest in deceiving, to be more than usually cautious in admitting his deductions. If tried by this rule, the production of Lord Amherst will vanish into nothing. We give the succeeding paragraph of this instructive production :

Nothing has *surprised me* more than to observe the *extraordinary effects* produced upon men's minds in the Upper Provinces by the war in Ava. There has been a very *prevailing belief* that our *raj* was drawing to a close. No reports have been too extravagant for the *credulous Natives* of that quarter. Predictions of our downfall were *greedily circulated*. The Native ukbars teemed with accounts of defeats sustained under the *walls* of Calcutta. Last year these reports produced only partial disturbances, which were speedily suppressed ; but I fear that this year, after the *Dussera*, we are to expect some more *serious and extensive commotions*. An *usurper* at Bhurtpore has set that country in a blaze, and Jyepore and Ulwar seem but too ready to join in spreading the conflagration. It has been with the *utmost reluctance* that Lord Amherst<sup>2</sup> has made up his mind to take part in these disturbances ; but he now begins to see that it is too late to abstain from the exercise of a paramount authority in us *acknowledged* by *ALL* the Native states, however they may *singly* now and then dispute it. The precautions we have been taking to strengthen ourselves in the Upper Provinces will now prove to be of the utmost moment. If matters proceed to extremities, they will, I hope, enable us to bear down all opposition ; and I am quite sure that nothing will enable us to negotiate with more effect than the overwhelming force which will back our negotiator, Sir Charles Metcalfe. He was sent for from Hyderabad, as the man in all India pointed out by common consent<sup>3</sup> the fittest for the *difficult crisis* about to approach in the Upper Provinces.

This extract is full of matter for inference. In the first place, no one but a man *new* to the Indian Government—no one, in short, but Lord Amherst himself, could have been “surprised,” or think it at all “extraordinary,” that the war in Ava should produce the effects which he describes on the minds of the people in the Upper Provinces. Nothing could be more natural ; and all men of any experience in Indian matters well know this. Not long ago, Sir John Malcolm, in a speech at the India House on the danger of allowing the freedom of the press in India, used this memorable language :

The instructed classes among the Natives of India, who have already lost consideration, wealth, and influence, by the introduction of our power, fear, and justly too, that its progress will still further degrade them. They must, from such causes, have a hostile feeling towards us, and this is not likely to decrease from the necessity they are under of concealing it. They

<sup>2</sup> This could not have remained in the *first* person, without too plainly indicating the writer, and has been therefore, no doubt, thus altered ; but the *vel* is too flimsy not to be seen through.

<sup>3</sup> How this common consent could be obtained in a country where men can neither speak nor write with freedom is not explained.

will seize every opportunity of injuring our power, and many must be afforded them. They are, to my knowledge, adepts in spreading discontent, and exciting sedition and rebellion. My attention has been, during the last twenty-five years, particularly directed to this dangerous species of secret war carried on against our authority, which, is always carrying on by numerous though unseen hands. The spirit is kept up by letters, by exaggerated reports, and by pretended prophecies. When the time appears favourable, from the occurrence of misfortune to our arms, from rebellion in our provinces, or from mutiny in our troops, circular letters and proclamations are dispersed over the country with a celerity that is incredible. Such documents are read with avidity. Their contents are, in most cases, the same. The English are depicted as *usurpers* of low caste, and as tyrants, who have sought India with no view but that of degrading the inhabitants, and of robbing them of their wealth, while they seek to subvert their usages and religion. The Native soldiers are always appealed to; and the advice to them is, in all instances I have met with, the same: "Your European tyrants are few in number, *murder them*!" The efforts made by the part of the Indian population I have mentioned, (the *instructed classes*), and their success in keeping up a spirit which places us *always* in danger, are facts that will not be denied by any man at all acquainted with the subject\*.

Sir John Malcolm's knowledge of India few will dispute; and the accuracy of this description of its inhabitants, which was delivered at the India House, in the presence of the Directors and a crowded Court, no one stood up to deny. We shall say nothing of the disgrace which such a picture reflects on England, or of the folly of pretending that such a people are happy and contented with our rule. But that which Sir John Malcolm knew well enough to be the constant feeling of the Natives of India towards us, appears to Lord Amherst (who ought by this time, at least, to know better) to be something quite *new* and "extraordinary." It ever has been, still is, and ever will be, their feeling, until they are admitted to some participation in the blessings which their luxuriantly-abundant country might be made to yield for both governors and governed,—till they can accumulate wealth and information to some good purpose, and be made partakers of our authority in government, instead of always bending beneath our yoke. The closing paragraph of this remarkable letter is as follows:

The ruinous expense of this Burmese war occasions our Government *many an uneasy moment*; but the struggle must be made; and a war which involves at the same moment an attack upon Bhurtpore and Ummerapoora, must demand GREAT SACRIFICES. I am only surprised that last year we could get money at four per cent.; and indeed it is only lately that we have been compelled to raise our interest to five. Yours, &c.

This is, no doubt, a frank and sincere confession. The misery inflicted on the unhappy people of Ava; the loss of life and destruction of health among the troops sent to invade them; the anxieties created in this country, as well as in India, for the fates of individuals engaged in this calamitous and protracted struggle;—all these weigh

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\* Oriental Herald, Vol. III. pp. 9, 10.



but as dust in the balance with the noble Lord. The "uneasy moments" which he and his colleagues suffer, are caused only by the consideration of where they are to get more money to defray the ruinous expenses of the Burmese war. The miserable people of India are already taxed to the full, or they would soon be burthened with fresh imposts to supply the need: loans are, therefore, the only resources left. His Lordship has already spent all the surplus left in the Indian treasury when Lord Hastings resigned the government, and a few millions more. And as the monied men in India are as anxious as all other loan-contractors to benefit by the necessities of the state, the Council have their "uneasy moments" on that head. "The struggle must be made," says the writer. We do not see the necessity. If they have made an unjust invasion of a distant territory, let them retire, and seek no compensation for their own wrong. But as to the *great sacrifices* which the noble Lord talks of being demanded, let not the people of England be deluded by a notion that *he* has to make a sacrifice of a single shilling, or that any Englishman in the whole of India contributes a rupee, in the shape of new taxes, towards its support. Lord Amherst, and all his Council, have a direct private and personal benefit in every augmentation of the rate of interest for public loans, or the rate of exchange between India and England. Every civil servant, who is sufficiently high in office to have any surplus money, who is a lender instead of a borrower, has a large increase to his wealth by every augmentation of the interest and exchange. Every British merchant in India profits in the same manner, besides having employment for his ships, and a brisk market for stores and commodities of every kind required in the war. The *sacrifices*, if any are required to be made, fall on two classes alone: 1st, the Native inhabitants of India, who are burthened with new imposts, whenever it *can* be done, to meet the augmented expenditure, and pay the higher interest of the new loans; and 2dly, the people of England, to whom the enormous and increasing debt of the East India Company will, no doubt, be ultimately transferred when their charter expires. It is unfortunate for India that the civil and military servants, and British residents there, as well as the Directors and Proprietors of India stock here, are not all *taxed* for the support of Indian wars; they would then be less frequent than they are ever likely to be while they promise nothing but pecuniary gain to the parties who engage in them, without the slightest probability of any actual cost either to them or to the authorities who are referred to in England, for the purpose of confirming or disapproving their proceedings.

What is chiefly wanted, indeed, to excite a *lively interest* in the good government of India, is the abolition of that restrictive clause which fixes the maximum of dividend on India stock, and the power which enables the Company to borrow loans to make that maximum a minimum also, and never to divide *less* than the highest amount which the law permits. If this were done away, and the Proprietors were only enabled to receive a dividend when the affairs of India were really in a prosperous condition, and were called on to contribute

their money towards restoring the waste occasioned by their profligate and improvident servants abroad, we should then see able and efficient men sent out, instead of bed-chamber lords, to direct the affairs of that great empire, and all useless and inefficient individuals removed from their office, to give place to talent and integrity, in whatever rank of life it could be found.

We have so often repeated this opinion, that some will perhaps think it superfluous here; but when we remember that the abominable traffic in human flesh took years to abolish, and that civil and religious freedom is still withheld from a large portion of our fellow-subjects, though it has been urged on the country for more than half a century, we feel that we should but ill perform our duty if we did not, "ever and anon," return to the charge, and repeat, as long as we have a voice to utter, and our countrymen have ears to hear, that nothing short of the abolition of this detestable system of monopoly and despotism, with all its countless iniquities, can satisfy the claims of indignant justice; nothing short of this can give to the people of England their full participation in the value of an empire from which their capital, skill, and industry, are now effectually excluded, though the very Company that exercises this tyranny is upheld by their sufferance alone; nothing but the destruction of those exclusive privileges, and that irresponsible power, which now hang like a spell over the fairest countries of Asia, and blast, as with the breath of a pestilence, every rising effort to improvement,—can ever lead the way to that most desirable of all events, the elevation of the countless millions of our Indian fellow-subjects to that rank in the scale of political and civilized communities, to which, by every claim of justice and humanity, they are fairly and fully entitled.

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#### COUNTER-EVIDENCE RESPECTING THE PUNCHAYET, OR INDIAN TRIAL BY JURY.

*To the Editor of the Oriental Herald.*

SIR,—It being desirable that the assertion of Sir Thomas Munro in 1807, quoted in page 457 of your last Number, "that the Madras Judicial Code of 1802 did not provide for the administration of justice by punchayet," should be met by the counter assertion of the framer of that code, I request that reference may be made to a work published by Booth and Son, in 1820, on the Adawlut System and Trial by Jury in India. In Part II. chap. 1, page 125, it will be found that a Regulation was promulgated in 1802, for referring suits to arbitration, and "the Judges of the Courts were enjoined to afford every encouragement in their power to persons of character and credit to become arbitrators." If reference be had to the volumes of judicial and revenue selections, printed at the India House, abundant evidence

will be found that panchayet was never "general or popular" among the Natives; that in 1820 it had made no progress as a system in aid of the administration of justice. Again, as Sir Thomas Munro framed, as he supposed, an improved Regulation in 1816, for the "adjudication of civil suits by assemblies denominated panchayets," and as little or no progress has been made since the date of that law, in rendering panchayet a useful aid in the administration of justice, it follows that the judicial revenue officers at Madras are borne out in their assertions that panchayet was a mode of trial generally rejected whenever any other mode of trial could be obtained; and that the Natives do not in general think "justice done" when they are compelled to resort to it. To disprove the assertions of these public functionaries, most of them of much local experience, let a return of decisions by panchayets since 1816 be produced, or stated from personal knowledge. These returns will show to what extent panchayet has been *voluntarily* resorted to under Sir Thomas Munro's own law, and under the influence of his known personal predilection for this mode of trial.

A. Y.

See also page 154 to 164 of 'Tucker's Financial State of the East India Company,' published in 1825.

## NOTE OF THE EDITOR.

We feel obliged to our Correspondent for the numerous references he has given us, but do not think the passage quoted above throws any new light on the subject. Our complaint was, that the Government of India, by rendering it *optional* with either party in a suit to submit to the panchayet or not, effectually ruined the institution; as, admitting it to be the justest mode of trial, the unjust litigant, that is, one in every suit, would for that very reason reject it. Under the former Native Governments, Sir John Malcolm asserts, that the submission of parties to this tribunal was not optional, any more than submission to the decision of a jury is optional in England; hence we infer it formerly flourished, and under us has fallen into decay; because we did make it optional. That we did so is not, we believe, disputed. It is admitted by Mr. Tucker at the place referred to in his work (p. 157), and in the note by H. T. Colebrooke, Esq., at p. 240, as to the regulations of 1781, and implied in the words above quoted from the regulation of 1802, that persons might either sit on the panchayet or not as they chose. The decline of the panchayet system is therefore not only freely confessed by its advocates, but the causes of that decline pointed out. Another of these is, that no appeal is allowed, under our system, from the award of a panchayet, unless gross corruption or partiality can be proved against its members. The difficulty of proving such corruption, where it exists, the facility of bringing witnesses to swear it where it is not, thence the great liability of honourable men to false imputations, were enough to make all parties, members of the panchayet as well as suitors, shun an institution which we had beset with so many pernicious evils. To make our work complete, we left all parties at liberty to have recourse to it or not. What would be the consequence in England if no person were obliged to perform the office of a juror unless he chose, nor any party bound to submit to its decision; and, on the other hand, those who might volunteer to perform the office of jurymen knew that they, in nine cases out of ten, exposed themselves to the greatest risk of being charged with corruption and perjury by the losing party? Hence, we repeat, the decay of panchayet. In so far as Sir Thomas Munro's regulation of 1816 in favour of panchayets,

above referred to, is on a different principle, a return of decisions, showing its operation, would undoubtedly be of great importance. For the reasons given above, it is obvious, that the unjust litigants, a very large body in India, will, no doubt, as our Correspondent asserts, maintain that justice is not done when they are compelled to resort to this fair mode of trial. But if the votes of the people were taken, it would be seen whether or not the great majority of *honest* men were in its favour, as stated by Sir John Malcolm and the very highest authorities. Our Correspondent seems to think it a great hardship, if not injustice, to *compel* any one to submit to this mode of trial whether he will or not. Is it a hardship, we would ask, for free-born Englishmen in this country to be compelled to submit to a jury? Or should this bulwark of British freedom be abolished because it may be obnoxious to many who do not find it a fit instrument of injustice and oppression, for over-reaching their neighbours, or defrauding them of their rights? While such notions prevail among Indian legislators, no wonder punchayet is unpopular with them.

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#### MEDICAL SERVICE OF BENGAL.

*To the Editor of the Oriental Herald.*

SIR,—The following hastily drawn up remarks on the present inefficient state of the Bengal Medical Service, and on the evils its officers suffer, are sent you in hopes to attract the attention of the Court of Directors, who have it in their power to remedy the evils I mean to point out, who may, perhaps, never before have had the extent of these so distinctly shown.

As there is not, and I may almost say, never has been, an individual connected with, or particularly interested in, the Medical Service of India, a Member of the Court of Directors, that branch of the army has uniformly been neglected, when measures have been adopted for the improvement of the situation of their military brother officers, whose interests are better advocated in the Honourable Court. This neglect must appear evident to the most superficial observer on considering the late augmentation of the Bengal army.

In 1822, the infantry of Bengal was increased from thirty to sixty regiments. In 1823-4, eight regiments of infantry and five battalions of artillery; and in 1825, twelve regiments of infantry and two of cavalry were farther added to that army. The Court of Directors have uniformly declared it to be their intention, in augmenting their army, that the different branches of it should benefit equally. How far they have kept this intention towards the medical branch of the service is demonstrated by the fact, that, for the medical duties of these fifty-seven new regiments, thirteen surgeons only have been promoted, making in all one hundred surgeons for ninety-nine regiments. This proportion may appear a very fair one, were I not to point out how these one hundred surgeons are disposed of; the following table is taken from the 'Bengal Directory' for 1825, corrected up to February of that year :—

## DISPOSITION ROLL OF BENGAL SURGEONS IN 1825.

- 3 Members Medical Board.
- 10 Superintending Surgeons or Inspectors.
- 4 Deputy ditto ditto.
- 4 In charge of Depôts, Medical Stores,—Calcutta, Dacca, Agra, and Cawnpore.
- 5 Presidency Civil Surgeons.
- 6 Civil—Benares, Bareilly, Cuttack, Dacca, Moorshedabad, and Patna.
- 3 Garrison Surgeons—Fort William, Chunar, Allahabad.
- 1 Surgeon General Hospital Presidency.
- 1 Marine Surgeon.
- 4 Surgeons to Residents or Governor-General's Agents.
- 1 Resident at Singapore.
- 1 Assistant to Governor-General's Agent in the Saugor and Nerbudda Territories.
- 2 Attached to the Stud.
- 2 The Assay and Deputy-Assay Masters Calcutta, Mint.
- 1 Superintendant School for Native Doctors.
- 1 Surgeon to King of Oude.
- 1 Out of Employ.
- 21 On Furlough and Sick Certificates to Europe.
- 29 Remain for the duties of ninety-nine regular regiments.

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Should this table ever catch the eyes of the heads of the British army, or of the Director-General of the Medical Department, their surprise may be imagined when we recollect the uniformly efficient state of that department, whether during peace or war. During the latter, every regiment of the British army had a surgeon and two assistants, as is still the case in peace with corps in India, and this strength of medical officers, exclusive of a large and efficient staff of inspectors, deputies, physicians, staff-surgeons, assistants, and hospital mates. The above table clearly shows that it was not the already efficient state of the medical service that prevented the Court allowing the medical equal advantages with the military officers on this augmentation. These advantages are by no means trivial, for lieutenant-colonels commandant were promoted for each new regiment, thus giving at once to the army fifty-seven additional situations, securing to officers, in addition to the retiring-pension of their rank, a share of off-reckonings; to say nothing of the extensive promotion this caused throughout the army. In addition to this extensive benefit to the military, fourteen brigadiers have been appointed in Bengal, in addition to the usual number of general officers commanding divisions, with very handsome staff salaries in addition to their army allowances. The Court might surely, in some measure, have benefited the medical service by giving a superintending surgeon to these brigadiers. The advantages on this occasion did not end here, however, for a captain was added to each of the ninety-nine regiments, farther increasing the rapidity of regimental promotion.

The following paragraph clearly shows that their honourable masters have not improved the situation of the medical officers by the small increase they have granted to the retiring-pension of surgeon, which is, by the by, also granted to their military brethren of similar rank, captains. Sixpence per day, or nine pounds per annum, has been added to the retiring-pension of a surgeon; but it is worthy of particular notice that, above twelve months ago, an allowance of one rupee per day was struck off, which all assistant-surgeons in Bengal had for fifty years previously drawn, and which was granted them avowedly for the provision of a palanquin for the better undertaking their laborious and anxious duties. This allowance, in the course of fifteen years, the average rate of promotion in Bengal to a surgeoncy, amounted to 684*l.*, which, at five per cent., would give 34*l.* per annum interest; so that by this alteration, to be as concise as possible, ( $34 - 9 = 25$ ), they are precisely the losers of 25*l.* per annum.

These evils, that Bengal medical officers sustain, are still farther increased by their very slow promotion, whether compared to the King's army, or, what is more to my present purpose, with their brethren of other presidencies. The following are pretty evident proofs of this:—The surgeon who last retired from the Bengal Medical Board was, two years ago, junior member and a *surgeon of 1796*, while the junior member of the Bombay Board was an *assistant-surgeon of 1796*. Again, by a reference to the second edition of last year's 'India House Directory,' I find that the assistant-surgeon first for promotion to a surgeoncy was Mr. Richard Thomas Barra, date of appointment 24th of January, 1819; while the assistant-surgeon in Bengal, of similar date of appointment, is Mr. Poyntz Stewart, 5th of February, 1819, the seventy-second from promotion, who, unless some amelioration take place for Bengal, will not be promoted for more than eight years to come.

I will, lastly, shortly compare the situations of the military and medical officer, with respect to their retirement from the service. The former is required to serve twenty-five, and the latter twenty, years each, including three for one furlough. This shorter period is granted to the medical officer because he must be twenty-two years of age before he can enter the service, whereas the cadet enters, at sixteen; the education for that profession which is to be so peculiarly useful to his employers, having already included every part of the education of the other. I may here state that, in the British army, an allowance is made for the heavy expenses of a medical education, by an assistant-surgeon receiving pay superior to a lieutenant, and a surgeon to that of captain, which is not the case in the Honourable Company's army, but which indulgence might well be extended to their medical service. Let us see the relative situation of the military officer of 1801 and the medical of 1806, who are each entitled to retire in 1826. The former will retire with the rank of lieutenant-colonel, having for years enjoyed the allowances of major, on a pension of 365*l.* per annum, while the latter retires with the pay

of captain, 191*l.* per annum, being about fortieth on the list from promotion to a superintending-surgeoncy giving the rank of major. The superintending-surgeon in Bengal, who can at present retire, having served two years in that rank which is required, Mr. John Brown, of the season 1796, is entitled to a pension of 300*l.* per annum, while military officers of that season have retired on three times that sum. The present third member of the Medical Board, Mr. Alexander Gibb, who is not entitled to retire with the pension of that rank till 1827, will then have, should he retire, 500*l.* per annum, after *forty-two* years' service, while military officers of 1796 are now receiving double that sum after only *thirty* years' service. I can hardly believe the Court are fully aware of this unjust discrepancy.

Before concluding, I may add, that the retiring-pensions of medical officers in the Indian service, who are necessarily exposed for the greater period of their lives to a climate fatal to the European constitution, are considerably less than those granted by our gracious Sovereign to medical officers of the British army, who may never, perhaps, be called on to quit their native country, and, most assuredly, if they should, their absence is for a very few years only.

I have thus endeavoured to point out the unfortunate situation of my late brother officers in Bengal, and hope most anxiously that this may meet the attention of their honourable masters. I beg, Mr. Editor, you will, if possible, give a place to this in your next Number, and oblige

A RETIRED BENGAL SURGEON.

February 23, 1826.

#### VIEWS OF SCENES AND EVENTS IN THE BURMESE WAR.

LIEUTENANT MOORE, of whose interesting productions on this subject we have before had occasion to speak, has completed a second series of Views in the Burmese Empire, which are not at all inferior to the former in spirit and finish. The very long list of subscribers to this undertaking, both in England and in India, evince the great and general desire which must exist to patronise it, and are great proofs of confidence in the artist's talents and fulfilment of his pledge, in which we think none will be disappointed. We have not been able to give the concluding prints more than a hasty glance; but we can safely assert from this, that they are quite worthy to be placed in the same portfolio with the earlier ones; and that the whole together form one complete and interesting series of Eastern Views, which few families of Indian connexion would not be pleased at possessing.

# ELECTION OF CANDIDATES FOR THE EAST INDIA DIRECTION.

WE have been assured that, excepting only the late commercial panic in the City, no one subject has for many years past occupied so large a share of public attention between the Minorities and Temple-bar, as the approaching election of six Directors to fill the vacancies of those who retire, and those who go out by rotation. The usual stir and bustle at every place of public resort between the City of London Tavern and the Mansion-house, is vastly increased by the conflicting claims of canvassers and candidates, and the jostling and juxtaposition of their opposing voters from the most distant quarters, who have all hurried to the scene of action on behalf of different friends, as if the fates of empires depended on their suffrages.

It is well that the subject of Indian Government begins to attract more and more of public notice, be the motives of those who contribute to that increase of interest what they may. In the "good old times," that are now never likely to return—the recurrence of a general election, when six of the India Directors went out by rotation every four years, and six of what is called the "House List" walked quietly into their places—no public excitement was created by the anticipation of the period, and neither public anxiety nor individual competition attended the change. The state of things is certainly different, however, at present. Whether it be that the number of candidates for profit and patronage have increased beyond the ordinary supply, or that a seat in the Direction is more an object of general ambition than formerly, we cannot accurately decide. But the fact is undoubted that, for many years past, there has been nothing like the struggle now carrying on for the prize, on which so many have set their hearts, as if it were the only end and aim of their existence.

In our last we took occasion to say a few words on the subject of the pretensions set forth by each of the aspiring individuals: and the picture there drawn of these has been admitted by the "initiated" to be remarkable for its fidelity. But there are others of the "uninitiated" to whom it may be necessary to say something more, to enable them to understand why so much "devotion to the public good"—for this is the basis of all the pretensions, so impudently put forth, and generally with a boldness proportioned to its hypocrisy—should be found in men who, from tyrants abroad, suddenly start into patriots at home; and who, never having been known in all their career of service in the East to breathe one generous sentiment, or promote one liberal public act for the benefit of any creature besides themselves and their masters, from whom they hoped for a corresponding reward, all at once set up for "reformers" in the West, and endeavour to delude their willing hearers with professions of a zealous interest in the welfare of those whom they have all their lives before been assisting to oppress. That this is the *general* character of East India Directors and candi-



dates for that distinction, few who know the whole history of their public lives will deny. There are exceptions, no doubt, to the rule: and when they happen they should be distinguished, to save the deserving objects from the odium which, now and for a long time past, has been associated with the very name in the minds of all but the parties immediately interested, in every principal city and town in England.

But we spoke of the "uninitiated": and as our pages are now read by many who never before had their attention drawn to East Indian affairs, it will be well, for their information, that we enter a little more into detail.

It is known that the East India Company is a body of professed "Traders," their official title being "The United Company of Merchants of England trading to the East Indies." On this pretended ground alone, that of carrying on a trade by which it is notorious that they sustain a heavy annual loss, though they endeavour to make it appear that it could be carried on by no one else as advantageously as by themselves, they are privileged to hold a country as large as all Europe under their dominion: to usurp thrones, to destroy dynasties, to assess taxes, to make laws, to appropriate revenues, to engage in wars, and, in short, to rule, by the most absolute and irresponsible despotism, the destinies of a hundred millions of subjects and tributary people, whose kingdoms, whose honours, whose wealth, and whose enjoyments they have despoiled, as conquerors, giving them nothing but a more systematic and grinding system of exaction, and very lofty professions of an interest in their temporal and eternal welfare in return. In a country so ruled, without a free public or a free press to expose abuses there, and at such an immense distance from all check and control here, there must be doubtless a number of good things to enjoy, and a number of favours to dispense. In the course of a long service in such a country, whether in a civil or military capacity, abundant experience must be had of the way in which these good things and these favours may be made to turn to account at home; and on the return of the fortunate individual who has outlived the liver, the cholera, and all the other enemies of an Indian residence, he naturally enough looks around him for the means of getting into the East India Direction, for the purpose of dispensing to his relatives, friends, and dependants, the blessings in which he himself has so largely participated before them; or, if he has but few of these, of making his patronage to others a medium of exchange for such advantages as he may be desirous of enjoying for himself—such, for instance, as a seat in Parliament, a baronetcy, or even an elevation to the Peerage, for all of these are within the reach of wealth and devotion to the higher powers, combined: and none are beneath an India Director's continual care and ambition.

If the real motives which lead men to seek this honour were frankly and openly avowed, it would in no degree lessen their chance of success, while it would be far more honourable to their permanent reputation, than the affectation of motives which are scarcely believed

when announced, and are soon entirely discredited, from the subsequent conduct of the same individual being found to be completely at variance with his pledges and professions. Neither the candidates who offer themselves, nor the voters by whose support they succeed, care, in general, one straw about the good of the people of India; although this is so constantly put forth as the chief motive of both, that it is now discredited even in the few cases in which it may really be consistent with the truth. The candidate enters the field perhaps three or four years before he can obtain his seat: he undergoes a pilgrimage through every street in London, more wearying and humiliating than a pilgrimage to Jerusalem or Mecca: he expends at least a thousand pounds on every occasion of coming to the ballot, and he is, perhaps, moderately successful, if he comes into the Direction after three years of penance, and three thousand pounds of expense, to say nothing of the risk which is run of all this ending in entire failure.

Is this labour, this zeal, and this expenditure, undertaken for the good of the people of India alone? Ask the same parties to give one year of gratuitous labour to any investigation, committee, or even the task of printing and publishing at their own cost, for the information of their countrymen and mankind, the result of their experience in India, and plans for its improvement. They will smile at the simplicity of such philanthropy. Ask them to expend one thousand pounds towards the formation of a fund for really benevolent purposes, or to establish an Association for the purpose of advocating the rights, and improving the condition of the natives of Hindoostan. They will put up their purses, and wonder at your presumption. Nay, ask them even to sign a requisition, merely entreating the Directors to grant the natives of India some means of telling the story of their wrongs, and you will find them shrink from that or any other act which could lead even to the inference of their entertaining opinions of their own, on any subject whatever, except in unison with those of the honourable body of which they aspire to be a member. Thus much for the public spirit of the Candidates. And, as to the Proprietors, by whose votes the Directors are nominated, let them be asked the same questions, and the results will be nearly the same. The object of the one is to dispense patronage; the object of the other to share in its distribution. For this, each of them will endure fatigue, will undergo long journeys, will expend their money liberally, and will make the loudest vauntings of their independence. But let the Directors be divested of their salaries, (paltry as they are admitted to be,) and of all the patronage or power of dispensing places in lieu of fortunes on those whose advancement they desire, or exchanging them for other considerations with strangers, and we should soon observe but few candidates in the field, and equally few voters preferring India stock to any other description of funded property to which no peculiar expectations beyond a fixed dividend was attached.

This test is infallible; and the only way by which a truly virtuous and public-spirited individual is to be distinguished from one whose devotion to the common weal is merely in profession, is to learn what

are the personal and pecuniary sacrifices in labour, time, and money, which the individual makes in the prosecution of his supposed duty; and, on the other hand, what are the honours, emoluments, and considerations, which cheer the mere professor to his task; and how much of these he voluntarily relinquishes when demanded by the public good. If tried by this test, there is no doubt but that many of both these classes would be found sadly wanting.

In commencing the present article, however, it was not our intention to enter so fully into the subject adverted to, but merely to glance at some of the facts which have peculiarly marked the late and pending election, and which have come to our knowledge through various authentic channels. The *system* would require a volume to detail with that minuteness in which it really ought to be exposed to the people of England, at whose expense, as well as that of the natives of India, it is upheld. But that, perhaps, had better be deferred until another year, when the expiration of the charter will begin to excite anticipations, hopes and fears; and when the ears of Englishmen generally will be more open to the subject than now, though it is every day rising in interest and importance. For the present, therefore, we shall merely advert to passing events.

Since our last, a ballot took place at the India House, on the 8th of March, the several candidates going to the poll being Mr. Henry Alexander, Mr. James Stuart, and Mr. Mackinnon. The success of the former was very marked, his election being obtained by the suffrages of nearly 900 votes, while Mr. Stuart did not obtain 500, and Mr. Mackinnon little more than 400. Entertaining the opinions that we do on the subject of such elections, it would be perfectly useless to compare or contrast the characters of the Candidates, because we believe, that with nine Proprietors out of ten it does not weigh a feather in the scale. But, indeed, there is only one of the three individuals named, of whose *public* life any thing remarkable is known; and private life is not only beyond our proper sphere of observation, but, in the case in question, is wholly beyond our inquiry. We know no ill of either; and, if we did, we should think it out of our province to advert to it, except it bore distinctly on the performance of the public duties aspired to be filled by each. Nevertheless we rejoice at the issue which placed Mr. Alexander so decidedly at the head of the poll; first, because his public character, as far as it is known, is without any blot or stain, and has not left a trace of any inclination towards arbitrary power; and, secondly, because it is notorious that very powerful efforts were made by those who have that inclination to keep him out of the Direction, which must be taken as a symptom of his being unacceptable to them, from difference of opinion and disposition—in itself a high recommendation to all those of independent minds. Of Mr. Stuart, however, we cannot, conscientiously, say as much. His public conduct is known; his transactions in India have left a stain on his public reputation; and he, with all sorts of liberal professions in his mouth when they were fashionable in India, has shown an inclination to arbitrary power, which every mer-

chant, every banker, every friend of frank and open conduct, every advocate of the colonization of India, and enjoyment of its inhabitants, ought to mark by their decided disapprobation; and which, if there be but a strong effort made by those who compose these classes, may yet keep him out of the Direction. If any man desires to appreciate Mr. Stuart's character rightly, let him look back to his transactions in the Hyderabad affair, and he may judge for himself. It would seem, however, as if there were really some misgiving on the minds of the Directors themselves as to his success; and if it were so before the issue of the 8th of March was known, the result of that day must have quickened their zeal in proportion. Of the impression created on some minds by the activity of the Directors, we subjoin the following specimen, which is a copy of a written communication addressed to us for publication, and which we give verbatim:

## ELECTION OF MR. HENRY ALEXANDER.

On the last election of an East India Director, we found the Deputy-Chairman (Sir George A. Robinson) and his friend, Mr. Fushington, of the Treasury, actively canvassing the Proprietors of East India stock in favour of one of the candidates; and those two Gentlemen, together with sixteen Directors, are at present equally active in support of the same candidate! It is notorious, that the law vests the election of Directors exclusively in the Proprietors of East India stock. Is it, therefore, constitutional or correct, that either the Treasury or the Directors should interfere with the freedom of election, or the rights of the Proprietors, in favour of any particular candidate, by exercising an influence which it is well known their official character gives them, and thus transfer the right of election from the electors to the elected, and the Treasury? Mr. Astell and Sir G. A. Robinson, two party-men, and stout advocates on other occasions of *rights and privileges*, cannot divest themselves of their official character and influence while they are Directors; they are desirous of filling the Direction with their *own creatures*; they do not hesitate to exert their influence in making the Direction a self-existent body, and thus boldly attack and violate the rights and privileges of the Proprietors. It can be proved that Proprietors, who came at their request from the country, and who voted against Mr. Alexander and Mr. Mackinnon, have received appointments to India! Can the House of Fletcher, Alexander, and Co., and the House of Inglis, Forbes, and Co., be justly blamed for combining in support of their own candidates, and to oppose a union so grossly indecent, and pregnant with subversion and ruin to the East India Company? Mr. Astell is also canvassing for another candidate, (Lieutenant-Colonel Sir William Young,) thus dictating, through his influence and patronage, to the Proprietary, and filling the Direction with his followers.

*Deputy-Chairman's Circular, dated East India House, February 1826.*

Permit me to *solicit* your vote and interest for Mr. James Stuart, who is candidate for a seat in the East India Direction, and who means to come forward to the ballot at the election for supplying the vacancy caused by the retirement of your late worthy Director, Mr. Hudleston.

Having been more than thirty years in the civil service of the Honourable Company in Bengal, and having held the station of a Member of the Supreme Council, Mr. Stuart possesses an *extensive knowledge of their affairs*.

On these PUBLIC GROUNDS, I trust that you will *think* him deserving of your support; and I beg to assure you, that in affording it, you will confer a great obligation on MYSELF.

(Signed)

G. A. ROBINSON.

The facts here stated are neither new nor wonderful; they are in every body's mouth in *private*; but it is surprising that they are not adverted to in the Court of Proprietors in *public*. A man cannot be transported, without trial, for speaking his mind freely in England; and although he might injure his pecuniary interests by an open declaration of his thoughts and feelings in a body of which he is a member, this ought not to deter him; for, really, the virtue which is only practised when it can be done without injury to one's prosperity, is no virtue at all; and it is a prostitution of the term so to use it. The true virtue is that which is exercised at all hazards, and which is not deterred from its pursuit though thorns beset its path in every direction. It is easy enough to be pure where there is no temptation, bold where there is no danger, and independent where there is nothing to lose by its display; but something beyond this is requisite to establish a claim to permanent reputation. As to the influence said to be used by Mr. Astell and Sir George Robinson, one might safely ask, whether the Proprietors themselves were not greatly to blame in permitting it to be exercised? An independent man, to whom such a circular as that of the latter should be sent, would re-direct it to the honourable Baronet, with a note expressive of his surprise at such an invasion of the rights of election. But if men will quietly receive such attempts to influence their judgment, they will be repeated on all occasions; and, as it is truly said, that without receivers of stolen goods thefts would be useless, so it may be added, if there were none who suffered their privileges to be usurped by their own servants, the usurpation would not be attempted. No man asks another for the entire control of his purse, because none are found to yield this up willingly; but men *do* ask each other for the entire control of their judgments, because that is of much less value, in their estimation, than their money; and while they safely guard the one, they very freely part with the other.

But to return to the letter. The combinations of Directors to exclude or bring in whom they please, is not only an invasion of the rights of the Proprietors, but is in violation of the natural order of things: they are themselves but servants; they hold their seats avowedly by the will of others; and therefore any attempt to influence that will in their capacity as Directors should be resisted. That they should desire to fill the Direction with those who entertain the same views with themselves, can be no subject of blame; all mankind desire the association of those who think with them; but there is an essential difference between the endeavour to do this by an appeal to reasons addressed to the understanding, and the incitement of rewards, or the distribution of patronage. It is this, therefore, which forms the evil, and not the existence of a desire common to all. If, however, the Proprietors would reform this state of things, they should give their

servants, the Directors, a salary adequate to their duties, and take from them *all patronage whatever*, either dividing it among the body generally, according to the amount of their interest in the common capital of the Company, or selling the appointments, by public auction, to duly qualified persons, (to whom the power of purchase should be limited,) or by a fixed scale, as in the case of army commissions, and forming a fund out of the produce of such patronage for some of the thousand benevolent purposes which have yet to be accomplished before we perform half our duty to the people whom we have conquered and despoiled.

The combination of the two mercantile houses named, instead of being a subject of censure, as the writer would seem to think it had been made by some, ought to be a matter of congratulation to the Proprietary body at large, and of just pride to the members who promoted it. A combination to *resist* undue encroachments on rights and privileges is the more valuable, because it is so rare: we should like to see them of every day occurrence, and then such encroachments would speedily decrease.

The circular of Sir George Robinson contains, among much that is sufficiently common-place, or matter-of-course, a few expressions that are remarkable. He does not lay before the Proprietor addressed any choice of pretensions between different men, but begins at once to *solicit* his vote and interest for his particular protégé. His highest recommendation of him is, that he has been "more than thirty years in the Civil Service;" as if this were any *peculiar* merit. Why, the most unprincipled as well as the most ignorant and imbecile of men might lay claim to a greater amount than this: for some such have been more than fifty years in the same service, and are yet but drivellers after all. Aye—but (continues the worthy Chairman) *having* been more than thirty years in the service, and *having* been a member of the Supreme Council, Mr. Stuart *possesses AN EXTENSIVE KNOWLEDGE OF YOUR AFFAIRS*. What then?—It is clear that this service in India and this knowledge cannot be necessary or indispensable qualifications: for, if so, how could such men as bankers, West India merchants, Turkey traders, surgeons, sea captains, and all manner of men get into this same Direction, some of them having never seen India at all, nor ever given its affairs a moment's attention till they became candidates. That a man might pass a century in India, and have no enlarged knowledge of its interests, must be clear to every capacity. That a man may never visit India, and yet be distinguished for his profound and accurate knowledge of all that belongs to the country, it is sufficient to name its distinguished historian, Mr. Mill. But even then, supposing the knowledge to be perfect, by whatever means attained, it is the *use to be made of this* which should be the chief object of inquiry. If one man possessed but little knowledge, and were zealous in applying that little to the good of his fellow-creatures, he would be greatly superior to him who should know infinitely more, but pervert his information to the more successful oppression of mankind. These grounds of *mere knowledge*

are therefore not worthy the name of PUBLIC GROUNDS; nor can any man of reflection be induced to *think* Mr. Stuart worthy of support on such grounds, merely because he is solicited to do so; although the closing part of the circular, in which the writer more clearly explains his motive, may be more intelligible; and the opportunity of obliging two distinguished friends of the Treasury and the Direction be too tempting to be missed.

Having also in our possession a circular of another Director, sent round in behalf of the same favourite Candidate, we may insert it here, to keep the other in countenance. It is as follows:—

DEAR SIR,—I beg leave to *solicit* the *favour* of your vote, and of your *interest with your friends*, at the ballot on the 8th of March, in behalf of Mr. James Stuart, a candidate to fill the vacancy in the East India Direction, occasioned by the retirement of Mr. Hudleston. Mr. Stuart was upwards of thirty years on the civil service of the Company in Bengal; after having, with *distinguished merit*, filled several *important* offices, he was appointed by the Court of Directors a Member of the Supreme Council, and in that high station, his talents, his judicious ZEAL FOR THE INTEREST OF HIS EMPLOYERS, and for the *good government and happiness of the Natives of India*, and his upright firm mind, were eminently conspicuous. In the confidence that his services in the Direction will be of great benefit to the Company and to THE PEOPLE OF INDIA, I *recommend* him to your favour. I have the honour to be, dear Sir, your most obedient servant,

JOHN BEBB.

13, Gloucester-Place, 26th Feb. 1826.

Besides the more modest, and, we must add, more sensible, because less disputable, pretences put forth for Mr. Stuart by his former friend (for the number of years' service being given, the knowledge may be perhaps admitted,) Mr. Bebb is anxious to lift his idol a little higher on the pedestal; and, as if he really believed that the Proprietors would prefer one man who had "good government" at heart rather to one who had not, sets up Mr. Stuart as zealous for this lip-be-praised but heart-contemned non-entity. His "zeal for the interests of his employers" may have been all his friends can describe; but we never heard of the *happiness* of the *people* of India forming any part of Mr. Stuart's especial care. We say again, look to facts and not professions, and let the Hyderabad Papers say what these are. But that Mr. Bebb, who listened to Mr. Impey's definition of the India Government as one "that always has been, now is, and ever must be an absolute despotism while in the hands of the Company," and who smiled in approbation of its advocate; that *such* an individual should talk of the "good government" of India, and recommend Mr. Stuart as favourable to its encouragement, is not a little marvellous, if any thing indeed could surprise us in this brazen age.

Of what *benefit* to the Company any Director can be, who does not increase its patronage and its dividends, (the two great objects of general desire,) we are not aware. Of benefit to the people of India a good and firm man might, in the course of years, hope to be; but we have no hesitation in expressing our belief, that if any Proprietor should vote for Mr. Stuart in this hope, he will live to be disappointed.

The imperial style of Mr. Bebb's conclusion, in which he *recommends* the Candidate to favour, is the more remarkable, inasmuch as it is thought he is not quite secure in his own seat. The accuracy or error of this surmise will soon be determined.

The first improvement we should like to see introduced into the mode of announcing candidates and electing them, would be, that of bringing each to a full Court of Proprietors at the India House, there to state his own pretensions,—there to answer, face to face, those who might dispute his claims,—there to repeat his pledges of future conduct, and have them made matter of record, accompanied with an engagement of immediate resignation when those principles were no longer maintained. If this were done, the circulars of Directors might be spared, and greater reform would be introduced by such a change than by almost any other that could be named as long as the monopoly exists.

We were accidentally present at one, and one only, of the meetings held for the purpose of supporting a certain Candidate; and, as we were led to understand from those who had witnessed many, that this differed greatly from the general routine, we regretted there were not reporters for the public papers there to record the proceedings. In general, however, they are close meetings, confined to particular friends of the party proposed; and the only animated portion of the labour is the luncheon to which the fatigued hearers retire after their "public labour" is over, so that there is no demand for the gentlemen of the press, and consequently no supply.

At the meeting in question, where there was not, as far as we could observe, a single Director present, their interests being engaged as before described, much was said on behalf of the Candidate in question, and particular stress deservedly laid on his known attachment to a more liberal system of government, so as to elevate the character and condition of the Natives, as well as his intimate acquaintance with a portion of India, to the N. and N.W. of Bombay, from whence there is no individual at present in the Direction. But that which pleased us most was the frank and open avowal, on the part of the Candidate himself, of a determination to make the bettering the condition of the Native population of India the subject of his continual care, and a pledge to those by whom he was surrounded, that he should cease to ask their future support if he ever failed to make this the chief object of his ambition. We were glad also to hear this sentiment cheered as it deserved; and we were the more disposed after this to preserve a fragment of a letter read to the meeting from a gentleman, (Mr. Inglis,) who was disappointed in his hope of attending it personally, and who, therefore, desired that his sentiments might be conveyed in writing as he should have uttered them. Among the passages we most distinctly heard, were the following:

You, who so well know my sentiments, can best appreciate the feelings of deep disappointment which my absence from the meeting of to-day occasions me. It was a wish indeed very near my heart to have attended, and in person to have borne testimony to the private and public claims of



one possessing so large a share of my affectionate regard and unfeigned respect; a testimony which upwards of four-and-twenty years of intimate knowledge would have fully entitled, as well as enabled me to support; and further, in urging the merits of the son, to have brought to the recollection of many a friend present, the inestimable worth and the often-recorded sense of the public services of the revered father. This, however, is not denied me: from my bed I convey what I should have felt an indescribable happiness in standing up in my place at the meeting, and conscientiously declaring, that if *public services already held in high and deserved estimation*; if local experience, and a most intimate knowledge of political relations in a quarter of India destined, ere long, to become that of the deepest interest; if *systematic habits of business*, if *independence of character*, if gentlemanly deportment, and if principles of the strictest honour and integrity, can give any individual a claim to the support of friends, or to the just consideration of the Proprietors at large,—that individual is JAMES RIVETT CARNAC.

We do not think these considerations will weigh so strongly with the multitude as they have done with the individual who has been influenced by them as he describes. Would it were otherwise! and that character and qualifications formed the only test. But though we do not hope to see this accomplished soon, we hail every approach to it as a good omen; and on that ground, we should infinitely prefer Major Carnac, Mr. Tucker, and Mr. Mackinnon, not only to all those now in the field with them, and coming to the ballot on the 12th, but also to some of the six that are to go out by rotation, and whose places, if they could not be better filled by any we could name, will at least enjoy the *advantage* of a change; for if the permanency of evil in any system is its bane, any and every change in its very ministers may give a hope at least of amelioration.

SONNET—TO A LADY AT THE HARP.

*By D. L. Richardson.*

On! breathe, melodious Minstrel, once again  
 Thy soul-entrancing song! Responsive tears  
 Attest thy power. Thy thrilling voice appears  
 Like sounds of Summer's eve, or some sweet strain  
 That wildly haunts the visionary brain,  
 Or charms the slumbering mourner. Vanished years,  
 That Time's dim twilight hallows and endears,  
 Return, like shadows o'er the trembling main  
 Beneath the lunar beam. Then, waken still  
 Those magic notes with more than music fraught,—  
 Angelic harmonies! Each echo seems  
 A spell from heaven by skill celestial wrought  
 To cheer the clouded mind, the sad heart thrill  
 With sacred memories, and delightful dreams!

## WISE PROVISION OF THE CODE NAPOLEON.

*To the Editor of the Oriental Herald.*

SIR,—MANY of your readers have, I dare say, become well acquainted with the *Code Napoleon*, a monument of legislative wisdom, deserving, and probably destined to survive, the brass and marble devoted to the memory of successful martial ambition; and to reach that promised age, when “men shall beat their swords into ploughshares, and their spears into pruning hooks, neither shall they learn war any more.”

That *Code* has, indeed, raised its author to the dignity of *man*, while his contemporary occupants of thrones will appear on the page of history as mere *kings* and *emperors*. Those who have perused it with any attention, will, I am persuaded, recollect one of its most salutary provisions when reading a passage in your last Volume, (p. 291,) where you “suppose the case of a will made by a Hindoo, in favour of some artful Brahmin possessing and exercising an *influence* over him, in his dying moments, sufficient to induce him to sign such an instrument.”

Napoleon was well aware how the *Brahmins* of the Gallican Church, as of every other branch of the elder ecclesiastical establishment, had largely possessed, and lavishly exercised, such an influence, especially on the better and most susceptible portion of humanity. He was aware, too, of the popular prejudice by which such an influence was supported. This, therefore, in No. 909 of his *Code*, he somewhat indirectly proceeds to counteract. First, he introduces a class of professors whose lucrative influence over the dying had never been of any account compared with that of the clergy. The law thus commences:

“Les docteurs en médecine ou en chirurgie, les officiers de santé et les pharmaciens, qui auront traité une personne pendant la maladie dont elle meurt, ne pourront profiter des dispositions entre-vifs ou testamentaires qu’elle auroit faites en leur faveur pendant le cours de cette maladie.”

Exceptions follow in favour of an adequate remuneration for professional services, and of legacies claimed in the character of relation; concluding with this sentence, which expresses, no doubt, the chief purpose of the whole regulation; “*Les mêmes règles seront observées à l’égard du ministre du culte.*” No wonder that “the craftsmen” of *Holy Church*, like the ancient worshippers “of the great goddess Diana, and of the image which fell down from Jupiter,” should have become full of wrath,” or have sighed for the return of the *legitimate* race. Nor have they sighed in vain, for the Bourbons, though at first constrained to adopt into their *Code Royale* much of the equity and good sense which distinguish the *Code Napoleon*, have ever since been industrious to explain away, if they could not yet formally annul its most important provisions. Such are the blessings restored to France by the bayonets of Britain and the Holy Alliance!

N. L. T.

• DEFICIENCY OF OFFICERS IN THE INDIAN ARMY.

The following extracts of private letters, from different officers of the Indian army, though not of the most recent date, are important, as showing the opinions that prevailed in the several quarters where the writers of them happened to be stationed :

“ The new pay regulations have given universal disgust ; and, however trivial people in power may think this, nothing leads to mutiny and disaffection so soon as a general expression of disgust among the officers. This is certainly the case with regard to the new pay regulations. Officers of rank will not remain in India if they can possibly exist at home, as the higher commands, which ought to be lucrative, are absolutely not worth accepting. As a proof of this, there have lately been two offered to three or four officers before Government could get one to accept them. These sentiments of disgust do not rankle less deeply from the press being in such a degraded state of slavery, that there is not any channel for the oppressed to give vent to their feelings. The late alarming mutinies in Bengal ought to open people’s eyes.”

We are furnished with the following view of the state of the Indian army for the Bombay presidency, calculating on twenty-six regiments of infantry, including European :—

	Colts.	Lieut.-Colts.	Majora.	Cpts.	Lieuts.	Ensigns.
Establishment of each..	1	1	1	5	10	5
Total for 26 regiments..	26	26	26	130	260	130
Absent from their regiments on Government commands; Staff employ; extra battalions in the service of Native Powers; provincials; and on furlough to Europe; not one half of which are put down in the Army List .....	26	21	14	98	82	35
Present with the whole 26 regiments .....	0	5	12	32	178	95

“ This gives an average of twelve officers for each regiment ; out of which the average number in sick quarters is three, frequently more, but seldom less ; leaving about nine officers to each regiment of 1000 strong, including Commanding Officer, Adjutant, and Quartermaster!! The Bengal and Madras presidencies are as badly off. With this proportion of officers, if ever serious opposition is met with, defeat must ensue ; it has invariably been the case where the enemy have made a bold stand. To look back for only three or four years :—

“ 1st. In the Gulph of Persia, the detachment under Captain Thomson (800) was annihilated, and all the guns and stores taken, only

because there were not sufficient officers to lead the men. The expense of fitting out the expedition that followed in consequence, would more than have paid a full complement of officers to the different regiments for ten years.

"2d. At the commencement of the Burmese war, Colonel Bowen's detachment was defeated at Doodpattee for want of officers to lead the men; and Captain Noton's detachment (1300, with only nine officers) were annihilated for want of a sufficient number of the latter. Had these two detachments been successful, the spirits of the enemy would have been damped, and peace on our own terms would, in all probability, have been the immediate consequence, instead of the ruinous war now carrying on; the expense of which has already been more than would have paid a full complement of officers to the whole Indian army for almost half a century.

"3d. The defeat of Colonel Smith, C. B., near Rangoon, was really occasioned by want of officers; when the few he had left, the men broke and ran away.

"It would, beyond a doubt, be the greatest possible saving to Government, if the Directors were compelled to keep the army efficient. To do this they should:

"1st. Abolish all extra and provincial battalions, and raise regulars in their stead. The irregulars are encouraged in India on account of the patronage they give the local Government. Their utility was proved at *Ramoo*, where they were the first to fire on the regular troops, and at *Tek Naaf*, where they went over in a body to the enemy. These are the only two places where they have been tried.

"2d. An addition of 24 Lieutenant-Colonels in Bengal, 18 at Madras, and 12 at Bombay, to afford a supply for Government commands and high staff situations.

"3d. Three additional Captains, six Lieutenants, and one Ensign to every regiment.

"4th. A handsome allowance for commanding a regiment to induce field-officers to serve. At present they prefer the most petty staff appointment, as it is more lucrative, *ergo*, in this vile country considered more honourable, than the command of a regiment. The consequence is, you see captains and subalterns in command. The late announcement of 400 rupees per month was a mockery, as every Lieutenant-Colonel had 320 deducted for batta and stationery at the same time; and to those who had guide and half-mounting money before, the increase is an absolute loss to a considerable amount."

## CHARACTER OF MARCUS BRUTUS.

*To the Editor of the Oriental Herald.*

SIR,

Jan. 28, 1826.

ON the recommendation of a friend, whose devotion to the cause of the people is exemplary, and on whose literary taste and judgment I could rely, I have very lately procured all the volumes of your work. While going through them, as fast as what leisure I can command will allow, I hasten to express my approbation of the manner in which you have blended *utile dulci*, and connected the great and growing interests of the East with the cause of freedom and humanity in every quarter of the globe; or, according to the poet,

Wherever the footsteps of man shall be found.

You have not failed also to present before your readers the bright examples of the *olden time*; and, while counteracting, at the expense of very large personal sacrifices, the Oriental despotism, at length avowed, as the principle of their rule, by the *Tea-Men* of Leadenhall-street, *vulgo dicto*, "the Honourable Court of Directors," you have brought to our recollection the achievements of those who had the advantage of opposing themselves to a less ignominious, though a justly reprobated tyranny. I refer especially to an excellent article in your sixth volume, (p. 31,) 'On the Character of Marcus Brutus,' for the purpose of offering some *addenda*, which I trust may not even now be unacceptable.

Cicero is very justly quoted (p. 40) as expressing his attachment to that great Roman, and to the deed which avenged the republic that Cæsar had betrayed. On another occasion, the same commendatory language occurs respecting the whole band of patriots who acknowledged Brutus for their chief. I refer to passages in Cicero's 'Second Philippic,' which I cannot more appropriately introduce than in a quotation from that grand assertion of a people's rights, of which all Europe once rang from side to side, the *Pro populo Anglicano Defensio*. There Milton says, (cap. v.) as I have endeavoured faithfully to translate him:—

The most excellent persons of his age slew the tyrant Caius Cæsar in the senate-house. That deed Marcus Tullius, himself one of the best of men, and publicly declared to be the father of his country, has celebrated with distinguished praises; among other places, in his 'Second Philippic,' I will briefly quote him: "To some were wanting the means of concert, to others the courage, to others the opportunity, to none the inclination." Again, he says, "What action was ever performed, O, holy Jupiter! either in this city, or through the world, greater, more glorious, or more worthy of mankind's eternal remembrance? I refuse not to be included, as if in the Trojan horse, among the chief of those by whom it was concerted."

<sup>1</sup> Ca. Cæsarem tyrannum excellentissimi ejus ætatis viri in Senatu interfecerunt; id factum M. Tullius et ipse vir optimus, et pater patriæ publicè

Milton, referring again to this subject, (p. 159,) thus regrets the hard necessity of destroying a tyrant so accomplished for government as was Cæsar:—*Sanè si cui unquam tyranno, huic paritum vellem; quamvis enim regnum in republ. violentius invadebat, erat tamen regno fortasse dignissimus.* (Truly, if any tyrant ought to have been spared, I would have spared him; for, though he violently subverted the republic, he appeared most worthy to have reigned.)

That the author of the '*Defensio*,' while he admired the talents of the man, should have abhorred the purpose of the tyrant, and thus have been prepared to applaud the deed by which Cæsar perished, is not surprising. Nor could Brutus easily fail to find a panegyrist in Algernon Sidney, who had declared that the execution of Charles "was the justest action that ever was done in England, or any where else." Yet that Cowley should have selected Brutus for his hero was not to have been expected. He had hazarded his life as a spy, in England, for the exiled Stuarts, and thus had nearly become a martyr to their unworthy cause; a transaction which his biographer, the time-serving Bishop Sprat, the flatterer of both Cromwell and Charles, has thus plausibly described: "It was thought fit by those on whom he depended, that he should come over into England, and, under pretence of privacy and retirement, should take occasion of giving notice of the posture of things in this nation." The royalist-poet, however, dedicated an ode to "Excellent Brutus," in which he excuses, or rather applauds, his successful attempt on Cæsar:—

Can we stand by and see  
Our mother robb'd, and bound, and ravish'd be,  
Yet not to her assistance stir,  
Pleas'd with the strength and beauty of the ravisher?  
Or shall we fear to kill him, if before  
The cancelled name of friend he bore?  
Ingrateful Brutus do they call?  
Ingrateful Cæsar, who could Rome enthrall!

Bishop Hurd very reasonably conjectures that "the subject of this Ode" was "chosen by the poet for the sake of venting his indignation against Cromwell." To what higher principle, indeed, can be attributed the selection of Brutus for a hero, by one who was hazarding his life in the attempt to supersede a government so comparatively beneficial as the Protectorate, even with all its defects of origin, form, administration, to which we cannot be insensible, by the restoration of the Stuarts, with all their gross pretensions to divine and hereditary right, and in the person of the second Charles, the most profligate of their race; thus described by Horace Walpole (Lord Orford)

dictus, miris laudibus, cum alibi passim, tum in 2d Phillippica celebravit. Pauca recitabo. *Omnes boni quantum in ipsis fuit, Cæsarem occiderunt; aliis consilium, aliis animus, aliis occasio defuit, voluntas nemini.* Et infra. *Quæ enim res unquam, proh sancto Jupiter, non modo in hac urbe, sed in omnibus terris est gesta major, quæ gloriosior, quæ commendatior hominum memoria scripturnæ? In hujus me consilii societatem, tanquam in equem Trojanum, includi cum principibus non recuso.*—DEFENCIO, 1651, p. 154.

more than eighty years ago, when, probably, the Stuart's character had not been so justly appreciated as at present :—

Fortune, or fair, or frowning, on his soul,  
 Could stamp no virtue, and no vice control :  
 Honour, or morals, gratitude, or truth,  
 Nor learn'd his ripen'd age, nor knew his youth ;  
 The care of nations left to whores or chance ;  
 Plunderer of Britain, pensioner of France ;  
 Free to buffoons, to ministers denied,  
 He liv'd an Atheist, and a bigot died.

From such a prince of any race, or from even a puny imitation of such an original, may every people protect themselves, who indulge in the costly luxury of regal government !

POPULARITY.

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FINAL VOLUME OF THE EAST INDIA MILITARY CALENDAR.

(From a Correspondent.)

THE services of the following officers, amongst others, are given in this volume. It would exceed the limits of this portion of our work to insert the names of the numerous officers respecting whom honourable mention is made ; but the intelligence now given will be interesting to all military readers :—

Major-Gen. J. Arnold, C. B. ; Lieut.-Col. T. A. S. Ahmuty ; Major C. H. Baines ; Lieut.-Col. H. Bowen ; the late Lieut.-Col. R. Bowie ; Capt. J. T. Blunt ; Capt. A. W. Browne ; Capt. T. Blair ; the late Lieut.-Col. R. Barclay ; the late Lieut.-Col. G. Ball ; the late Major J. Bolton ; Major-Gen. Sir T. Brown, K. C. B. ; the late Col. Bannerman ; Lieut.-Col. W. Blackburne ; the late Lieut.-Col. W. Cowper ; Lieut.-Col. P. T. Comyn ; the late Major J. Canning ; Lieut.-Col. A. Cumming ; Lieut.-Col. T. H. S. Conway ; Lieut.-Col. J. M. Coombs ; the late Capt. J. Crawford ; the late Capt. D. Carpenter ; Capt. M. Clarke ; Lieut.-Col. H. E. G. Cooper ; Lieut.-Gen. Sir T. Dallas, K. C. B. ; Major P. Dunbar ; Major H. E. Downes ; the late Lieut.-Col. C. Deare ; the late Maj.-Gen. J. Erskine ; the late Col. W. East, C. B. ; the late Col. C. Frederick ; Lieut.-Col. W. Forrest ; the late Col. W. Flint ; Capt. J. Franklin ; Lieut.-Col. M. Fitzgerald ; Capt. M. R. Ford ; Lieut.-Col. H. Faithfull ; Capt. A. G. Fisher ; Lieut.-Col. Greenstreet ; Capt. T. Grant ; Major W. Gordon ; Lieut.-Col. W. Garrard ; the late Col. P. Galliez ; Capt. A. Gibson ; Major J. Garner ; Lieut.-Col. R. J. Huddleston ; Major E. Hindley ; Lieut.-Col. A. Hay ; Capt. F. Heron ; the late Major G. Hutchinson ; Major E. Hardy ; Lieut.-Gen. Sir R. Jones, K. C. B. ; Capt. J. Jones ; Brigadier A. Knox ; Lieut.-Col. J. Simond ; Lieut.-Col. J. Lindsay ; the late Lieut.-Col.

W. Lambton; Lieut.-Col. W. Lindsay; Major W. Lloyd; the late Lieut.-Col. W. Lane; Lieut.-Col. W. Lamb; the late Col. J. Little; Capt. R. Langslow; the late Lieut.-Gen. T. Marshall; Major Morison; the late Major-Gen. Macan; Lieut.-Col. J. Morae; the late Col. G. Muir; the late Col. C. Mackenzie, C. B.; Capt. W. Marshall; Capt. T. Martin; Lieut.-Col. J. A. P. Mac Gregor; Lieut.-Col. W. Miles; General T. M. Marriott; Major-Gen. Sir T. Munro, K. C. B. & Bart.; Major C. Marriott; Lieut.-Col. G. Machonochie; Lieut.-Col. T. Newton; the late Major-Gen. Sir D. Ochterlony, G. C. B. & Bart.; Major T. Pierce; Major-Gen. G. Prote; Lieut.-Col. J. Pester; Lieut.-Col. J. L. Richardson; the late Lieut.-Gen. C. Reynolds; Lieut.-Col. H. Roome; Major E. J. Ridge, C. B.; Capt. H. Ralfe; Lieut.-Col. J. Robertson; Lieut.-Col. J. Rose; Major W. Richards; the late Major W. Roughsedge; Major J. A. Say; Capt. J. Sutherland; Capt. H. Sinnock; Major-Gen. J. Simons; Lieut.-Col. T. H. Smith; Lieut.-Col. J. Swinton; the late Lieut.-Col. T. Salkeld; Major S. R. Strover; Major G. M. Steuart; Col. H. S. Scott, C. B.; Lieut.-Col. W. Turner; the late Col. Woodington; Capt. J. G. Willim; Major E. F. Waters; the late Major C. W. Yates; the late Capt. G. Yates; and many others.

Memoirs of those distinguished Commanders-in-Chief in India, the late Lord Lake and the Marquises of Cornwallis and Hastings; and also of the Duke of Wellington; together with many original and valuable military papers, are introduced in this final volume, which has been just published.

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#### NATIVE PRESS OF BENGAL.

As the operations of that great moral and intellectual engine, the press, must always be matter of interest to the well-wishers of our Native subjects, we shall give a few particulars from a valuable article which lately appeared in that excellent work, the 'Friend of India,' on the 'Progress and present State of the Native Press.' The respectable authors observe, that "society must have reached a certain point in the career of improvement, ere it is prepared to enjoy those advantages which the press confers. To us (they add) it appears, that India has already made such progress as to be able to turn the press to immediate account. Here the mind has long been in a state of culture; institutions and social relations, founded on the development of the faculties of the mind, have for ages existed. Books have been written, with greater or less accuracy, on the various branches of knowledge," &c.

But from the monopoly of learning by the sacerdotal caste, and their consequent contemptuous neglect of the common vernacular language, the body of the people remained in profound ignorance till the



use of the art of printing became general. Its progress, especially within the last six or seven years, has been very rapid. The first newspaper published in the Native language was the *Sumachar Durpun*, issued from the Serampore Press on the 23d of May, 1818. "It was immediately," we are told, "honoured with the notice of that enlightened statesman, the Marquis of Hastings, who was pleased in various ways to express his approbation of the attempt." It was about this period Lord Hastings removed the censorship from the press, and within a few years after, no less than six Native newspapers were established instead of one: four in the Bengalee, and two in the Persian language. The number of subscribers to all the six, put together, is estimated at from 800 to 1000, and the readers at probably five times this number, or about 5000 in all. This very small number of readers, out of a population of twenty or thirty millions, is accounted for by the absence of curiosity among the Natives, their unacquaintance with, and consequent inability to take an interest in the affairs of foreign countries, &c. But we believe the main reason to be the restrictions imposed upon editors by the Government, to prevent them from inserting what would come home to the "business and bosoms" of their readers. If the law were abolished which screens every subordinate officer, every judge, magistrate, collector, with their numerous dependents, in short, every oppressor and peculator, high and low, from the least breath of censure by the press for his malversations; if such a disgraceful law, which never could have been made for any good and honest purpose, were abolished, not only would newspapers become worthy of being read by the Natives, but they would perform a signal service to the state—to the Government as well as to the people, by ensuring a rigid and honest discharge of all public duties, which no vigilance of the Government can effect. But while this is not allowed, and a newspaper contains nothing respecting what is of greatest interest to the community, the exactions and oppressions under which they are suffering from subordinate functionaries, (for they seldom look to the source of power,) no wonder that "Natives, who throw away thousands of rupees annually in gifts to Brahmins," or in idle shows, "will not pay one rupee monthly for a newspaper."

Leaving the periodical publications, a list is given of thirty-one other works which have issued from the Native press during the last four or five years. About 1000 copies of each is computed to be sold, and it is remarked that none of the works printed remain long on hand. Most of these are of a fabulous, religious, or superstitious character; but we shall give a few specimens of their titles: '*Punchang Soondutee*,' a work on astrology; '*Pudanku Dootu*,' a work respecting the impression of Krishna's feet; '*The Thousand Names of Vishnoo*;' '*Kak Churitra*,' a work with various circles to enable any one to discover his fortune. But besides those, and others on '*The Fruits of Obedience to Brahmins*,' on '*Faith in the Ganges*,' &c. there are works to facilitate the acquisition of English, and one on '*Moral Instruction*,' translated from the Sanscrit, dictionaries, works on law

and philosophy, and some others which may be useful. These few grains of wheat, however, are lost amid bushels of chaff; and the 'Friend of India' thence concludes, that having diffused among the Natives the craft and custom of manufacturing and reading books, a further duty is thereby imposed upon us of enabling them to turn it to good account. Having created among them an appetite for reading, we ought to supply it with sound and salutary food, otherwise they must be reduced to feed on those trashy productions which, rather than improve, give a fresh stimulus to their superstition and immorality. "In four years more, perhaps, thirty thousand additional volumes will be thrown into circulation, and unless their influence be corrected by books of a higher description, the thousands of youth, to whom the numerous schools are now imparting the faculty of reading, will have gained little by our efforts, and must grow up with an increasing attachment to idolatry."

It may not be uninteresting to add here a specimen of the sort of information afforded by the Native papers. The mere statement of such facts as the following cannot fail, we think, to operate both as a check on the licentiousness of the public morals, and an admonition to the Government, which suffers all law and decency to be so grossly violated. It is from the 'Sungbad Cowmuddy,' or Moon of Intelligence, of June 11, 1825 :

**SALE OF A HUMAN BEING.**—A few days ago, a certain poor woman of the Boistub caste, inhabitant of Burdwan, set out for Calcutta with her daughter, about twelve years of age, with a view to join the multitude of beggars collected on the occasion of the late baboo Ramdoolaul Sircar's Sharaud, for distributing donations. But by the way, being informed that the sharaud was over, and beggars were already rewarded, and consequently being greatly disappointed, resolved to dispose of her daughter, who proved to be somewhat beautiful, and to get something by the sale. Thus determined, she went to the Rajah, Kissenchunder Roy Bahadoor, and sold her daughter to him for 150 rupees, and went home.

Salutary effects might also result from the publication, among the Natives, of unvarnished accounts of such revolting practices as the following. The first which we subjoin, is an account of a deed of a still darker description, also perpetrated in the vicinity of Calcutta, in the month of June last. It is an account of the burning of a Hindoo female on the funeral pile of her deceased husband, copied from the 'Columbian Press Gazette;' and we beg the reader to bear in mind, while perusing this revolting narrative, the statement lately sent home to the Government by Lord Amherst, corroborated by the great body of civil and judicial functionaries, that they had "guarded against any violence being offered to the victims;" and that the practice of burning widows alive was perfectly spontaneous—of the woman's "own free will and accord." In this case, which is a specimen of thousands,—

The unfortunate victim was led out supported by three old men, in a state so utterly helpless and pitiable, as to excite the commiseration of all who saw her, and arouse the indignant feelings of the few Christians present, at the toleration, under an enlightened Government, of a custom so abhorrent

in its nature, and so every way repugnant to all laws, human as well as divine. Misery was depicted in the looks of the ill-fated woman, and her general appearance was indicative of any thing but consent on her part, to the barbarous practice to which she was to fall a sacrifice. After the performance of some unmeaning ceremonies, she was conducted to the banks of the nullah, where she was bathed, and then covered with a new red sautree, in one end of which was tied up a quantity of khoee, or parched paddy. The dreadful pile stood at a short distance from her. She trembled excessively, and appeared agitated to such a degree, that I could not but attribute her extraordinary emotion to her disinclination to fulfil the sacrifice required of her. So unequivocal, indeed, were the symptoms of her repugnance to the commission of the horrid act forced upon her, that I am confident we could have dissuaded her from it, had a fair opportunity been afforded us to make the experiment.

We were told that she would walk seven times round the pile, and then ascend it. This she accordingly commenced doing, immediately after the corpse of her husband was put on it, but with such tottering gait, that I expected every moment to see her fall. She was at last helped up to the pile, more dead than alive. No sooner was she laid by the side of her husband, than, fiend-like, the barbarians about her bound up her hands and feet with ropes, placing, at the same time, a large quantity of straw and hemp on her body. A couple of stout bamboos were also thrown across the pile, as if to secure the more effectually the unfortunate victim, and consummate the sacrifice. The eldest son of the deceased then set fire to the pile, which was instantly in a blaze. I watched very narrowly to discover, if possible, whether the woman made any attempt to liberate herself, but the cloud of dense smoke which issued from the pile, was unfavourable to the gratification of my curiosity; and amid the deafening shouts, which rent the air, of 'Huree Bole,' vociferated by some thousands of stentorian lungs, her screams, if she screamed at all, were altogether inaudible. For a few minutes after the hellish work was accomplished, I stood gazing at the still blazing pile, lost in reflections on the scene I had witnessed, and resolving never again to harrow my feelings by courting a repetition of the disgusting sight.

The 'Columbian Press Gazette' of the 29th of August, gives an account of another inhuman practice declared to be still more prevalent than widow-burning, which is also allowed by our "best system of government." Sick persons, when in such a state of debility as to be unable any longer to protect themselves, are, especially if rich, carried down to the banks of the river by their avaricious relatives, with the assistance of the rapacious priests, who expect to share in the spoil, and there the poor invalid, struggling and imploring help of the passers by, is suffocated with the water and mud of the Ganges forcibly poured down his throat. One instance out of thousands of this species of murder, which occur every year, and are winked at by Government, is thus described in the respectable paper we have just quoted :

In my way down from the Upper Provinces, my budgerow happened to stop at a ghaut on the banks of the Hooghley river, somewhere in the vicinity of Moorshedabad. The crowd which was collected on the spot excited my curiosity to know what occasioned it; I accordingly went to the place, and witnessed one of the most inhuman scenes that can be imagined. The poor helpless victim was stretched on a charpae, or an Indian cot, the lower part of the body being immersed in the river. In this posture he was imploring

his murderers in the most pitiful manner to let him go, declaring that he was yet far from death. To hear his supplication, and observe the distracted and forlorn expression of his countenance, were enough to strike any heart with horror and pity, except those of the cruel wretches about him, who, unmindful of his entreaties, kept shouting "Hurry-bol, Hurry-bol," and continued filling his mouth with water till at length the wretched creature became exhausted, his voice, which was at first loud, gradually sunk, and he at last fell an unwilling victim to bigotry and superstition !

The origin of the practice was in the Native belief that a person who dies on the banks of the sacred stream, and drinking its waters, is on the surest road to heaven. Hence, when there remained no hope of recovery, the child or brother's last pious office to an expiring relative might seem to be, to enable him to breathe out his spirit at this gate of paradise. This superstitious formality we have allowed to be converted into a regular system of homicide; unchecked it is declared by any authority whatsoever. The only remedy we see proposed is, to require the assisting Brahmins to have a certificate from a Native doctor, that the person to be suffocated is already past hope of recovery. Thus, we shall have under the Company's government, licensed printing, licensed widow-burning, and licensed murders of the sick ! A thing held up as atrocious when imputed to Napoleon, is at present allowed to be committed without any license, even from the lowest public officer or a Native doctor; whereas the burning of a widow requires the authority of a magistrate; and the printing of a newspaper, as if a still more grave offence, a license from the Supreme Local Government; but the residence of a British-born subject in the country, as if the most atrocious crime of all, requires the sanction of the very highest authority, the Court of Directors or the Board of Control ! It would be instructive to have a picture hung up in view of the Honourable Court of Proprietors, representing a Hindoo asking permission to burn his mother alive; another to murder his dying father; an East Indian requesting a license to print a newspaper; and a British-born subject permission simply to follow an honourable occupation in the Company's territories; with the Honourable Directors listening with gracious condescension to the heathenish proposals of the Hindoo, but turning a deaf ear to the entreaties of their own countryman and fellow Christian ! The back-ground might be filled up with Lord Amherst's tragedy at Barrackpore, to which, his Directorial and Ministerial friends might probably furnish an applauding audience.

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#### LANGUAGE INSTITUTION IN AID OF THE PROPAGATION OF CHRISTIANITY.

It has been said, of old time, that "the children of this world are wiser in their generation than the children of light." But we believe that in these days the saying may be reversed, with respect to the proper mode of imparting a knowledge of the Oriental languages to persons destined for India. For while certain persons stand up from

time to time in the House of Commons and Court of East India Proprietors, to assert stoutly that there is no advantage to be gained by giving Cadets a knowledge of the rudiments of the Native language of India before they proceed to that country; others, whose names rank much higher in the literary and political world, but who have no party purpose to serve, in recommending the best mode of preparing Missionaries for discharging their duties abroad, declare that it is very essential they should commence the study of the languages in this country. For this very purpose a number of distinguished individuals have formed themselves into a society called the "Language Institution," in aid of the propagation of Christianity, of which the Right honourable Lord Bexley is President, and the Vice-Presidents are, the Earl of Roden, Lord Calthorpe, Sir G. H. Rose, K. G. H., Sir R. H. Inglis, Bart. M. P., Sir Alexander Johnstone, Bart., Sir G. T. Staunton, Bart. M. P., Sir T. Stamford Raffles, William Wilberforce, Esq., and Abel Smith, Esq. These noblemen and gentlemen, with Lord Bexley at their head, and including in their number three very distinguished individuals of great personal experience in Eastern countries, have circulated the following address, the purport of which deserves particular attention:—

ADDRESS.—It is obviously *most important* that every Missionary, proceeding to a foreign destination, should have acquired, *before he leaves this country*, a knowledge of the rudiments of those languages in which he will have to preach and to communicate instruction. That sort of familiar acquaintance with a language, which he will ultimately require, can indeed only be obtained by personal intercourse and conversation with the people who speak it; but it must surely facilitate his labours in a *very high degree*, if he possess the rudiments to begin with. Should he arrive at his destination without such an elementary knowledge, the eagerness of solicitude, and closeness of application to study, which will necessarily ensue, especially when commenced under the debilitating influence of a tropical climate, may but too probably produce the effects which there is reason to fear have, in some instances, already followed from such causes, and even bring to an early grave Missionaries whose estimable qualities gave the fairest promise of eminent usefulness.

Now it is well known, that such an acquaintance with Eastern and other languages as that which has been described, may be acquired in this country; and in the cases of persons proceeding to fill *civil* offices in our Indian Empire, it is even considered an indispensable requisite.

And what good reason exists why the same rule should not be extended to military offices—the importance as well as the facility of such preliminary instruction being fully attested by the best authorities? For not to mention the many other persons of high respectability whose names appear attached to this address, the opinions of Sir A. Johnstone, Sir Stamford Raffles, and Sir G. Staunton, may surely weigh down those of such India House orators as Mr. Rigby, Mr. Lowndes, or the sage Sir John Sewell.

The object of this Society is to "assist in promoting the knowledge of Christianity, by making the best practical provision for teaching, in this country, the language of the Heathen." With this view, a sub-

scription is entered into, (at the rate of one guinea annually from each member,) for the purpose of collecting information regarding the languages, forming a library, and instituting lectures to be delivered by the most competent persons, and available to all concurring in the Society's object. To render the benefit more general, every sectarian doctrine is to be avoided; and it has been resolved that Missionaries and Missionary students of all denominations shall be admitted gratuitously to the lectures, (upon the recommendation of the societies to which they respectively belong,) as well as all clergymen and students for the ministry. Lectures in the Chinese, Sanscrit, Bengalee, and Arabic languages, have been for some time past in progress at the Institution, 27, Bartlett's-buildings, Holborn, where there is the singular phenomenon of a Chinese library—a large one it may be called, as we do not imagine it can be matched by any thing like it in Europe. It is a spectacle not less singular to see a number of gentlemen voluntarily contributing funds out of their own pockets to qualify persons for enlightening the natives of the East, while the Monopolists of Leadenhall-street, who derive all their wealth from the revenues of those countries, will not apply a small portion of it to the previous instruction of the military officers sent out to exercise authority over them.

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VALUE OF PRIVATE LETTERS FROM INDIA.

WE give a few extracts from the 'Calcutta Monthly Journal' of August last, to show the opinions entertained in India as to the value of the intelligence conveyed to this country in private letters, against which it has been fashionable of late, with the officialists here, to raise such a clamour. There, the people know and feel that private correspondence is the only source that can be relied on for full and impartial information as to the true state of things. For though the 'John Bull' had pretended that *he* could (if *he* would) give as full and faithful a picture of affairs as any journal could do of affairs at home, his more honest brother Editor makes the following confession:

We are not among those who would (as 'John Bull' had done) "deny that we withhold from our readers any thing that in England itself would be published in regard to military and political operations." We have several times been *commanded by superior authority to withhold such*; and at this moment we know of many things that we could with impunity touch upon in England, that we do not find ourselves at all warranted in *even alluding to here*.

"The progress of events during the war," we have also been told, (by 'John Bull,') "has been faithfully and accurately recorded by every journal in Calcutta," &c. &c. Yes—to a certain extent; but is there a journal in Calcutta that dares make a *comment* upon that progress, or dares to make public one *half* of the information to be found in *private letters*, which, in many cases, must be *as good authority* as official accounts? for official accounts themselves are only the sum total of individual reports, and often

of interested individuals. Have we not all of us heard, in the course of various wars, of individuals who have merited every public praise, barely alluded to in the records of official fame, and of brave fellows who fell upon the field of honourable death, with not a word even of cold eulogy, as a tribute to their memory, while *private* memorials did them justice? We do not question the propriety of such things, or of anything connected with the measures of the Government we serve; but we can indicate their existence in the cause of truth, which urges us to assert, that the public journals could not and cannot be looked to at home as giving by any means a full, comprehensive, and correct picture of the state of men or things in this country.

Why, then, should we be surprised if erroneous views are taken of matters in England? Why should we be surprised at a *Proprietor in the Court of Directors* [anomalous position this!], or a member of Parliament, reading extracts from a private letter? It is to be regretted that such flippant and pert remarks, as were alluded to in his Rangoon letters, should have been the only written reports in Sir Charles Forbes's possession; but we are not, nevertheless, to be told that *no reliance* is to be placed upon private letters, or that they are not to be quoted at all in reference to things respecting which there may exist an extraordinary discrepancy of opinion. For instance, there was the Barrackpore mutiny: to this day the exact number of those who were shot is not, as far as we are aware, ascertained.

After this, we trust we shall hear no more of the superiority of official documents over private letters—as it regards the affairs of India at least—until the press is released from its fetters, and men can write and speak as freely there as in any other country.

#### FORGET THEE !

FORGET thee!—can I e'er forget,  
When first in early youth we met,  
When *thou* wert all to *me*?  
E'en worldly ills my heart had tried,  
When you upon my truth relied,  
And *I* was all to *thee*.

Can I forget that hour of bliss,  
When first I felt thy melting kiss,  
And heard thy plighted vow?  
When both our hearts were pure and light,  
E'er crime had set its deadly blight  
Upon my heart and brow?

No! never—and though ills and cares  
May crowd upon my coming years,  
I never can forget  
The hour so free from earthly pain,  
Which never can return again,  
That hour when *first* we met!

\*

L. L. L.

SUMMARY OF THE LATEST INTELLIGENCE FROM INDIA AND  
OTHER COUNTRIES OF THE EAST.

BENGAL.

By the ship *Madras*, Captain Feynar, which has brought home Sir Edward Paget, late Commander-in-Chief of the Forces in India, accounts have been received from Calcutta down to the 5th of November. But there is yet no decisive intelligence either as to the fate of the Burmese war, or the disturbances in Central India. To all appearance, the prospect of a return to a state of peace and security is quite as uncertain as at any period since the commencement of hostilities. The armistice, mentioned in our last, which was concluded, we believe, in the middle of September, and was to continue till the 16th of October, to afford time for negotiation with the Burmese Government, appears not to have led to any satisfactory result. What the obstacle to a pacification may be, whether our demands are too high, or the Burmese too haughty to submit to reasonable terms, is of course unknown; but the term of the armistice, it is said, has been prolonged from the 16th of October to the 2d of November, which may afford farther chance of an amicable adjustment. It is inferred, however, that the hopes of our Government do not stand very high, as a large vessel has been lately taken up at a very heavy rate of freight for Rangoon. A sloop of war, it is stated, was waiting at that place, to convey intelligence direct for England; an indication, at least, that the authorities were very desirous to have some good news to communicate, "with breathless haste," for the satisfaction of their superiors at home. Such a precaution may be of great importance to enable the latter to regulate the amount of the supplies necessary for India; since, if this attempt to negotiate a peace with the Burmese should fail, it is evident that very extraordinary exertion will be required to enable the Indian Government, with its already exhausted treasury and debilitated armies, to maintain three wars at once. In the 'Globe' of March 2, it was stated, on the authority of letters from Calcutta, that the Government there were "anxious as to the negotiations with the Burmese, on account of the state of the campaign in that country, but more especially as they were threatened in every direction by the Native powers on the northern and western frontiers. It is confidently stated, that the Regent of Bhurtpore, and some other Rajpoot chiefs, have entered into a confederacy, and a general movement in that quarter is expected." This is strongly confirmed by a letter believed to proceed from the very highest authority, which has been fully discussed in the foregoing pages. Yet only a few weeks ago, Mr. Wynn stated confidently in Parliament, that there existed "no unfriendly disposition among the Native Powers towards us;" so little does the President of the Board of Control know of the real state of that country over whose destiny it is his duty to preside, while he



concurs in suppressing all freedom of discussion by which the truth might always be known.

As the late Commander-in-Chief of the Forces in India has now reached England, it may be hoped that Ministers will at last receive correct notions of the true state of affairs there, and of the character of Lord Amherst's administration, which made his colleague resign in disgust. A private letter, lately received from Calcutta, says:

For a considerable time past, there have been various reports about changes in the highest official situations in this Government; but it has lately been stated that Lord Amherst has received a letter from Mr. Canning, assuring him that recent events will not have the effect of removing him from the Governor-Generalship of India. This, if correct, shows less judgment on the part of the Minister than I have hitherto given him credit for. Since India became the brightest jewel in the Crown of England, no Governor-General has more completely failed to command the respect of the governed of all parties and classes, liberal or servile, European or Native, than our present one. Even John Adam, bad as were the general features of his administration, could not be despised. His successor has over him the advantage, that he cannot be hated; for Lord Amherst is beneath such a feeling. You can only pity a man who is called to fill a station, to the duties of which he is so wholly incompetent.

A new work from the Calcutta press, which, from the character of its intelligent author, must, we feel assured, be of considerable interest and utility to the mercantile community, has been thus noticed in the 'Bengal Hurkaru' of the 13th of July last:

We have much satisfaction in noticing a publication of 'Rules as observed at the Calcutta Government Sea Custom-House, &c.' by G. J. Siddons, Esq., the Collector. Mr. Siddons observes in the Preface, that "the commercial body of Calcutta is heartily welcome to all the benefit which may be derivable from these memoranda: they form a part of my practical experience during many years of hard work in this trying office." This publication is very appropriately dedicated to James Young, Esq. and the merchants of Calcutta. It will be of much assistance to the mercantile body, who have great reason to be obliged to Mr. Siddons for his disinterested labour in bringing a variety of tedious Custom-House details into a focus. Such labours are generally a very unpleasing and sterile task, and do not often receive from official gentlemen the pains which Mr. Siddons has bestowed on his useful work. Any profit which may arise from the sale of the book, is to be devoted to the Serampore College.

#### BURMESE WAR.

##### PROME—HEAD QUARTERS OF THE INVADING ARMY.

Though little is yet known of the nature of the negotiations going on here, between the British and Burmese authorities, the public papers have entered very minutely into the outward forms to be observed. At the conference arranged between Sir A. Campbell and the Burmese Minister, each party was to bring 1000 men, and they were to encamp within 1000 yards of each other; and the conference was to be held half way between. It is probable that the demands on our side in the first place will be compensation for the expenses of the war, the unqualified cession of Arracan with its islands, and of

all pretensions to Cachar and Assam; together with possession, at least for a certain time, of the ports of Rangoon, Mergui and Tavoy. Of these propositions, the Burmese will barely listen to any, unless on compulsion, except the relinquishment of Assam and Cachar. After this, the debateable land still remaining between the plenipotentiaries being so very extensive, each of the parties will be desirous of consulting their principals. Lord Amherst, in his eagerness to get out of the difficulty on almost any terms, may probably have given a very large discretion, almost a *carte blanche*, for negotiations; as he is before stated to have done, first to Sir Edward Paget, and afterwards to Sir David Ochterlony, when his Lordship found he had committed himself too far. If such a power has been given, and if our Commissioners be impressed as strongly as others generally are with the belief that the war is a ruinous one, and that, in the present alarming state of Central India, to protract it must be still more ruinous, then we may soon have peace on terms, of which, after all Sir A. Campbell's boasting and bravado, we shall have no reason to be vain. But if large humiliating concessions are peremptorily demanded of the Burmese Court, which has never yet stooped to compromise its dignity; we apprehend that the protracted negotiation will still prove abortive. It is impossible to calculate the degree of resolute resistance which a brave and high-minded race may make, who have not known for generations what it is to submit to a conqueror. They have yet all their antient territory untouched, and supposing it possible for us to carry an army a hundred miles farther into the country without having our supplies cut off, and even occupy the capital of Ava itself; they have still a retreat left open, and friendly states behind them, to which they can retire in the last extremity.

It was reported (says the India Gazette) that on our advancing towards the capital, the king and court will fall back, in the first instance, on Monchaboo. North of that, again, is another strong hold, at the distance of fifteen days' march, which they were understood to be repairing. Beyond that place again, at three months' journey from Ava, (for so the Natives say, no doubt in their usual style of exaggeration,) is another strong hold, to which the Golden Court will fly as we advance.

We have indeed no doubt, that rather than submit to the unjust and humiliating terms which will be attempted to be exacted, the Burmese Court, with the flower of their chiefs and warriors, would, if driven to desperation, take refuge in China, and appeal to the Celestial Emperor for his aid in recovering their rights, of which they had been despoiled. Lord Amherst would need to make out a strong case (stronger than the mud-bank of Shappuree) to satisfy his Celestial Majesty that we have a right to seize upon the Burman Empire. To attempt its dismemberment under such circumstances, would be to involve ourselves in interminable hostilities with the Burmese refugees, if not with China itself; and, in either case, to usurp forcible possession of such an extensive country, without the shadow of a right, would be a most ruinous sacrifice, both of our resources and of our character. How far we are able to make such an effort, may be

conceived from the following account, given in a private letter, of the miserable situation of our troops at Prome :

Since our landing at Rangoon, we have undergone what may be termed some hardships in such a climate as this is. We lived solely on our rations of buffalo (which you know is scarcely considered eatable in India) and wretched biscuits; and our means of conveyance were so limited, that even brandy was a luxury that only lasted the first week. One bullock was given to each officer, but such wretched animals that they could scarcely walk; and out of those given to four of us, only *one* could be brought beyond the first day's march, which was employed to carry our miserable tent, eight feet and a half square, of the same description and but little larger than a *necessary tent*, under which all the four had to pig, when the thermometer has been near 120°.

Most of the officers had to march on foot; a few only had the good fortune to procure some old horses the night before we left Rangoon, but we had great difficulty in keeping them alive, for want of men to take care of them; while grain to eat, and even grass, was often very scarce. The worst of the business, however, is to come, as there is no chance of peace, and our men are in a dreadful state from sickness. Upwards of eighty men are dead since February; eighty-eight were sent away to Madras about five weeks ago, many of them almost in a dying state; and forty-seven are now about going to the same place. We have this day 103 in hospital. The principal disease is dysentery and a sort of diarrhoea, which wastes the men almost to shadows, and has hitherto been very seldom cured, change of air being the only remedy. No less than nine men died last week; and as the Irrawaddy has overflowed its banks, and inundated the country round us, we may expect a fearful increase to our hospital shortly; and, to make the matter worse, there is not a bottle of wine or sago in the medical stores; and even some of the most useful and necessary medicines are not to be had.

Our officers have not escaped the effects of the climate, there being now only two captains, nine subalterns, and two surgeons doing duty, or scarcely more than one per company. The other King's regiments here have not suffered so much by sickness, except the 38th and 47th. Their present strength, in short, is as follows: 13th and 38th, about 300 each; 41st and 89th, 350 each; 47th and Royals, 550, sick included. The sepoys have also been unhealthy; and the mortality among the horses and bullocks has been very great: 102 of the former, belonging to the Body Guard, having died in one month, and the survivors so much out of condition that they are not fit for service, at least at present. The Burmese had received an exaggerated report of our sickness, and an army of 15,000 or 20,000 men was sent from Ava to attack us; but they appear to have changed their mind, as the army has halted fifty miles up the river, and are now stockading themselves in a strong position; but whether they intend attacking us afterwards, remains to be proved. As for any intelligence of their intentions being discovered by means of spies, we have no expectation of that,—that branch of the service being very sparingly paid, and indeed it has, at no period, been of any use.

Prome is rather a large place, but not so much so as we expected. It is surrounded by a high stockade, perhaps one mile and a half in circumference; but the houses inside are a miserable collection of matted walled huts, somewhat larger than those in Bengal, raised on piles two feet from the ground, and having for a floor a layer of small bamboos tied close together, but thatched very neatly with long jungle grass. The troops are all quar-

tered outside the stockade, except one Native corps, some on the banks of the river, and others on the hills close round, which is by far the healthiest place. The officers in general were obliged to build houses for themselves, which was no easy matter at first, for want of materials and workmen; but many of the Burmese having, after some time, returned, were of great assistance, on being paid each one rupee a-day. We are now, therefore, very snugly lodged, and well fed, as far as good veal and cow-beef goes; but other meat is not to be seen. Fowls are tolerably plentiful, at a rupee each; and vegetables, such as brenjals and greens, are easily procured. Our mess had the precaution to order a good stock of brandy and wines, biscuits, cheese, flour, and preserved meats, which we now enjoy at a reasonable rate; but other regiments are paying forty rupees a dozen for bad wine, and five rupees per bottle for brandy from the *sharks* of European sutlers. Pegu ponies are tolerably plentiful, though of an indifferent cast, for from eighty to 200 rupees, so that none need walk from Prome that chooses to ride; which violent exercise, I have no doubt, knocked up several of those who had no horses from Rangoon.

It is said here that the army under General Morrison is in so dreadful a state with jungle fevers, as to have scarcely 1000 men fit for duty, out of 7000. If this should unfortunately prove true, it can scarcely be surmised when this unfortunate war will be likely to terminate, as many more troops cannot be spared from Bengal to reinforce them; and without their assistance, this army, in its weak state, cannot do much. However, the 87th and 3000 Madras sepoy, and a regiment of cavalry, are expected to join us before the campaign opens. But boats are nearly as much required as men, to convey provisions; and the present plan of the Burmese, it is rumoured, will be to get to our rear, and cut off the communications with Rangoon, on our leaving Prome; and it will be no easy matter to keep the river clear of them for 500 miles, from Rangoon to Unmerapoor, with our small force. Indeed, this will prove an unfortunate war for the Honourable Company, the expenses being immense, and the country, which was supposed extremely rich, is now found to be much the contrary, and can never repay the cost of the war. Our prize-money is not expected to be anything; for though thousands of cannon, &c. have been taken, they are not worth a rupee each. A few boats, some timber, and grain, are the only articles besides; and they will take care to move all their valuables out of the way before we reach their capital. It is said there has been a rebellion there lately; but there are so many lies circulated, that we now believe nothing.

Since the foregoing was written, the receipt, in this country, of a 'Calcutta Gazette,' of the 31st of October, has furnished us with a highly-interesting and detailed account of the negotiations which appears to be taken from the 'Bengal Hurkaru.' It places the conduct of the Burmese in a point of view which will astonish those who have been in the habit of considering them as mere barbarians. The courtesy of their manners, as well as the shrewdness of their policy, are very inconsistent with such a contemptuous notion of our opponents. Nothing could be more conciliating than their treatment of the Ambassadors, and no line of policy more artful than to protract the negotiation, by which they must know very well they will in every way increase our embarrassment, by the ever-devouring expense of our armaments against them, and the difficulty of meeting the approaching campaign in Central India, with another war on our hands.

If they persevere in this course for a few months, we shall not be at all surprised to hear of Sir A. Campbell coming entirely into their terms, or of being compelled to withdraw, with or without a settlement, that the troops may be available for the more urgent service of defending our own possessions. That such are our present prospects, the reader must be fully convinced by reading what follows, to the conclusion. It is dated from Calcutta, Oct. 31, 1825.

Captain Campbell, Aide-de-Camp to Major-General Sir Archibald Campbell, K. C. B., commanding the forces in Ava, arrived in town on Saturday evening, with despatches from Prome, dated the 5th inst.

It appears that the British Commissioners reached Nembenziak on the evening of the 30th ultimo, where the ground was found prepared for the encampment of the respective chiefs, with their attendants, and a lotoo, or hall of audience, erected in the intermediate space, equidistant from the British and Burmese lines. At a few minutes before two o'clock, on the 2d instant, two Burmese officers of rank arrived in our camp to conduct Sir A. Campbell to the lotoo; Lieutenant-Colonel Tidy and Lieutenant Smith, R. N. were despatched at the same time to the Burmese cantonment, to pay a similar compliment to the Kee Woongee. At two o'clock, Major-General Sir A. Campbell and Commodore Sir J. Brisbane, accompanied by their respective suites, proceeded to the lotoo, and met the Burmese commissioners, Kee Woongee and Lay Mayn Wom, entering the hall, arrayed in splendid state dresses. After much shaking of hands, the whole party being seated on chairs, Sir A. Campbell opened the conferences with an appropriate address to the Woongees, who replied in courteous and suitable terms, and expressed their hope that the first day of their acquaintance might be given up to private friendship, and the consideration of public business deferred until the next meeting. This was readily assented to, and a desultory conversation then ensued, in the course of which the Woongees conducted themselves in the most polite and conciliatory manner, inquiring after the latest news from England, the state of the King's health, &c. &c., and offering to accompany Sir A. Campbell to Rangoon, England, or wherever he might point out.

On the following day, the appointed meeting took place, for the purpose of discussing formally the terms of peace.

In the discussions which took place on this important occasion, the principal object of the Woongees was to persuade the British Commissioners to withdraw the demands for territorial cessions, and indemnification for the expenses of the war. They dwelt at some length on the Chinese war, which had terminated (they said) without exaction or permanent sacrifices on either part, and the two countries had ever since lived in peace and friendship. Finding that no material relaxation could be obtained in the terms originally offered, the Woongees changed their tone, and requested a prolongation of the armistice, to enable them to refer to their Court on points of so much importance. This request was granted, and an extension of the armistice was accordingly agreed upon until the 2d of November. Before parting, an exchange of prisoners was proposed by Sir A. Campbell, and assented to. The Burmese Commissioners promised that the whole of the British and American subjects in their hands should be liberated, and sent to the British head-quarters without delay; requesting that the Rajahs of Mergui and Tavoy, with their followers, now at this Presidency, might be given up in return.

Sir A. Campbell, having invited the Burmese Commissioners to dine

with him on the following day, at twelve o'clock, on the 4th instant, a repast was served up in the Lotoo, now converted into a banqueting-hall. The Woongees, Atawoons, and Woondocks, twelve in number, were punctual in their attendance, and did ample justice to the dinner, in the course of which a bumper was drank to the health of the King and Royal Family of Ava. The Burmese Commissioners appeared to be much delighted with the attention they experienced; observing, that the meeting of the chiefs of the two contending armies at a public entertainment, in the midst of war, was an extraordinary proof of mutual good faith and confidence, and worthy of *two such great and civilized nations*, who, they hoped, would never encounter each other again in arms.

Further negotiations and proceedings were of course suspended, until the decision of the Court of Ava should be known on the communications made by its Commissioners.

The *despatches* state, that the army at Prome continues in excellent health, and is well supplied with provisions and cattle.

We have received intelligence from the Dooab, so late as the second week in October; and from it we learn, the Commissariat had received orders to provide at Agra and Muttra for an army of twenty-five thousand men. The Meerut force, it is stated, was in readiness to move at a moment's warning. Sir Charles Metcalfe was expected at Agra on the 13th October. We also learn the following particulars relating to military movements: The 6th, 18th, and 60th Native Infantry were on their march to Agra; the 32d, 37th, and 41st, to Muttra; the 15th to Meerut; and the 31st to Delhi. The corps at Mynpooree, Aligurh, &c., would, it was supposed, be relieved by extra regiments, which have moved towards the field of action. We believe this intelligence may be considered authentic.

#### FORCE IN ARRACAN.

The accounts from this place, public and private, continue to give the most deplorable picture of the sickness and mortality among our troops. The following is an extract of a private letter from a gentleman serving in that quarter, addressed to his mother in this country:

*Arracan, Aug. 30, 1825.*—I have hitherto escaped the fever so alarmingly prevalent in Arracan at present, as to threaten the total destruction of this army. In May last, more than 120 officers were with this force in good health; nineteen have died, sixty-three have gone away on medical leave, and the remainder are mostly convalescents: of the troops 6000 are in hospitals; there are not 1000 men, with the army, "fit for duty." All the officers of Gardner's Horse have gone away sick, except one; all the men are in hospital, save fifty-three, and even these are poor emaciated convalescents, totally unfit for any active duty. In our corps alone, 113 fighting men, and 124 camp-followers, have already died; the two next months are considered the most unhealthy, and what will become of this army I cannot conjecture; if the season does not become worse, we shall lose one-third of the force, and the remainder will not be fit for service for months to come. Three Brigadier Generals have been sent away sick, and the privates of the two European regiments are burned at the rate of seven per diem; there is not 1000 Europeans with the army. The whole of the Commissariat camels are dead, and the bullocks are dying at the rate of 100 daily; there has been a great mortality amongst the elephants, and three-fifths of our regimental horses have died. Such

is the destructive nature of the climate, that neither man nor beast can withstand its baneful effects. If it does not kill a man outright, he is ruined either in constitution or purse. Very few officers have a servant to attend them; some have 30 or 40 servants, and every one sick; it is utterly impossible to feed the sick; burying the dead is out of the question. The river is full of dead bodies; and the stench alone is sufficient to kill the survivors. Keeping our Native troops in such a situation, will render the Government exceedingly unpopular with the sepoys, and do more harm than the mutiny last year at Barrackpore. We have only had two days without rain since the commencement of May. Another campaign is inevitable; but this force is completely crippled; the "physical" is gone, and taken nearly all the "moral" with it; and as for the "materiel," it is all damp, decomposed, and rusty; offensive operations, in this quarter, must be carried on by fresh troops. One officer has to do the duty of the Adjutant, Commanding Officer, Second in Command, &c. &c. &c. All the clerks, vakeels, and assistants of every description, being sick, I have not a moment's rest.

A discovery has been made, as to the inland navigation of the lower part of the Burmese territories, which might have been of great use, if known at an earlier period of the war. It is, that a passage exists into the Irrawaddy, by what is called the Goa river, which enters on the west-side of the Arracan coast, about 100 miles on this side of Cape Negrais, or, in lat.  $17^{\circ} 35' N$ . A vessel may reach the entrance of this passage in four or five days from the Sandheads; and then there is almost a straight course to Prome, not distant more than eighty miles; so that if Lord Amherst had not commenced the war so precipitately, as to afford no time for ascertaining the nature of the country to be invaded, it is thought a division of the expedition from Bengal might have reached Prome, as soon as that from Madras reached Rangoon; and, consequently, by a sudden attack on both about the same time, they might have accomplished at once what has been the laborious result of two or three ruinous campaigns! Besides, by such a sudden onset, taking by surprise two of their principal cities at once, we should have struck such terror into the Burmese Empire, as to be able to dictate our own terms. But the unseasonable and ill-concerted course of operations pursued has given them every advantage. Seeing us not prepared or able to follow up our blows, they have had full time to recover from the first panic of invasion; and now experience has taught them that to repel it, they have only to protract the war till our troops, exposed to every hardship, moulder away with fatigue, famine, and disease. The Goa river has the great advantage of being far more accessible, at all seasons of the year, than the Rangoon or Bassein branch of the Irrawaddy. In either monsoon, any vessel may reach the Goa river in five days from the mouth of the Hooghley.

The following letter from Arracan River, dated October 15, 1825, has already appeared in the public prints, but we add it here to confirm the general accuracy of our private information:—

The last two months have been particularly unhealthy to all ranks and description of persons, Native as well as European, and indeed no thinking

man could reasonably expect it to be otherwise. The station of the shipping is in a sort of morass, twenty-five miles from the sea, and about the same distance from the town of Arracan, in just sufficient water and mud to float them, surrounded with marshy swamps for at least forty miles in all directions, covered with rank noxious jungle, the branches of which almost touch the vessel. It is so thick that it is impenetrable to man, even if he had a firm footing or ground to stand on, and is swarming with venomous reptiles, water-snakes, alligators, leopards, tigers, and other beasts of prey. More than half the army have already fallen victims to the pestilential effluvia emitted from such a pregnant source of disease; and, conformably to the disgusting superstition of the Hindoos, their dead bodies are all thrown naked into the river, and float up and down in shoals, exposed (now the rains are over) to the burning rays of a tropical sun: so that it is almost a miracle, I think, that we have so many in health, attached to the expedition: indeed, the deaths and sickness among the shipping latterly have been very serious. On mustering the different regiments on the 1st of this month at Arracan, the strongest, I am informed, mustered only 78 perfectly effective men, and one regiment mustered one man—a corporal. More than half of the officers have gone round in transports to Calcutta, in hopes of recovering; among whom are the commander of the flotilla, and the commander-in-chief of the army, General Morrison, who sails to-day. A few days ago an order was received from the Supreme Government at Calcutta, to embark all the Madras troops remaining alive here, and convey them to their homes on the Coromandel coast. We were accordingly, with nine other transports, fitted and victualled as a troop-ship, and expected to embark and sail from this charnel-house on the 9th; but it appears we are informed by our spies that the Burmese, knowing our sickly state, are rapidly marching from their healthy hills to attack us in our entrenchments, and to endeavour with their war-boats to destroy the shipping. We none of us think they are at all likely to succeed, although we are so weak; but the report has put a stop to the embarkation, and we are now anxiously waiting the event, and hourly expecting reinforcements.

We lately gave an extract from a private letter, written by an officer at Arracan, describing the miserable condition of the British force there with sickness, and expressing some surprise that the Natives of the place did not rise up some dark night and cut all their throats—an achievement as he considered extremely easy. From a private letter since received, which we understand has excited a very strong sensation at the India House, it appears that this was on the point of being effected. The following has been communicated to us as the substance of it:—

That a conspiracy had been formed by the Mughls and Burmese to surround the British officers' houses at Arracan, by signal, at midnight, to assassinate the whole of them, and set the town on fire; that the plot had been discovered by the Governor-General's Agent two days prior to its being carried into effect, by a placard in the house of one of the Mughls, where the Agent went at twelve o'clock at night, and found between 300 and 400 of the conspirators assembled and in consultation, the whole of whom fled on his approach.

The placard purported to be a proclamation from the King of Ava, stating, that he was advancing with 60,000 men to retake the place, offering pardon and protection to those who would return to their allegiance within fifteen days, and threatening them with the fate of the British in case of



non-compliance, which was to have been dreadful in the extreme. It also stated that sickness prevailed to an alarming extent.

#### CENTRAL INDIA.

Every successive account received for several months past, since the news of the death of Sir David Ochterlony, or rather since the insult thrown upon his measures by the Indian Government, has regularly put us in possession of some new fact, showing that the confederacy of the Native Powers, in Central India, so unwisely prevented from being crushed in the bud, has been rapidly spreading more and more widely. First, it was Bhurtpore alone which raised the head of rebellion; next, we heard of other neighbouring states joining it, and in our last Number stated, that the British Resident had been obliged to leave the fort of Jeypore; and now we learn that the spirit of disaffection has manifested itself so far west as Ajmere. It is stated in a Bombay paper, under date of October 8th, that

Accounts from the upper provinces mention that the political agent had been obliged to leave Ajmere, and that the Nusseerabad field force would probably have to move in that direction. The Bhurtpore people continued restless, and kept our troops on the alert.

The following is an extract of a letter from an intelligent correspondent in Bengal, dated on the 28th of October last:

Sir David Ochterlony's predictions respecting Bhurtpore have been more than fulfilled. The usurper, Doorjun Lal, and his brother, Mahadeo Sing, have been fighting almost ever since Sir David's hands were tied by Lord Amherst, and many lives have been lost, to the great scandal and disgrace of the paramount sovereign. All this blood is on our Governor-General's head: for not a drop would have been shed, if Sir David's proceedings had not been interrupted. A large army is now collecting, to back Sir Charles Metcalfe's arbitration of their disputes; and the possibility is, that unqualified submission to the terms prescribed by him will prevent a siege. Siege or no siege, however, Lord Combermere intends to see the troops himself. He will have under him Major-Generals Reynell and Nicolls. Sir Gabriel Martindell, not having been included in these arrangements, *has resigned*. We have not yet heard of the termination of Sir Archibald Campbell's forty days' armistice. When or what will be the end of this accursed Burmese war, is as doubtful as ever.

#### MADRAS.

The following is the substance of a letter lately received from Southern India:

The news we get here from Arracan is of the most distressing nature; it states, that the Madras 10th N. I. have 270 men in hospital, and that the Bengal 49th have not *one* man fit for duty; all the regiments have suffered more or less from the effects of climate. On looking at deaths that take place, we always find three or four officers dead at Arracan; it is so unhealthy now that they are about to evacuate the place. A letter to an officer here, from one at Donabew states, that they are living on the ramparts, and the interior of the stockade is one complete lake; and that Europeans die there very fast; that they get nothing but their rations. He says, that Sir A. Campbell has sent a flag of truce to Ava, and that the order has been received at Chittagong for the counter-march of one of the regiments there, and of the 49th from Arracan, but this news is not confirmed yet. Prome is still the head quarters, and people here, who have been at the place,

seem to think, that should a movement be intended, it will not take place before November.

I suppose that you have not yet heard of the serious disturbance which has taken place at Cutch; the Scinds have for some time past been committing depredations there, by plundering the Natives in small parties, but about a month ago a body of some thousands were seen encamped between Anjar and the fort of Booge, where the Company's troops are stationed; these were beat back again, but since that several bodies of infantry and cavalry have been seen crossing the Run; the consequence is, that H.M. 6th infantry and 4th dragoons, with two troops of European horse-artillery, and six Native corps, have marched for Booge; it is generally thought that there will be a good deal of fighting before the business is settled. The light force received orders the day before yesterday to hold itself in readiness to march at a moment's warning upon secret service, but it is pretty well known that it is to be against the Colapoor Raja, who has been taking some villages tributary to the Rajah of Vatarah, for which breach of treaty he is to lose his country.

#### BOMBAY.

Some time must elapse before we can expect to hear any decisive intelligence from this quarter as to the result of the military operations on the northern frontier. It appears, by the late accounts, that the ships with troops destined for Mandavee had made a slow passage, detained, perhaps, by unfavourable winds. An article in a Bombay paper, under date the 15th of October, reports, (how far correctly or incorrectly time alone can determine,) that—

By the last accounts every thing was quiet on the north-east frontier. It was reported that the Scindians had attacked Nugher Parkur, but had been repulsed. As this is the principal haunt of the plundering hordes, if the above report is true, it shows a disposition on the part of Ameers to prevent them finding for the future an asylum in any part of their territories, or those of their tributary chiefs.

His Majesty's 4th dragoons, a troop of horse artillery, and the 8th regiment native infantry, marched from Kaira for Cutch on the 3d of October.

We are sorry to say that no rain had fallen in Cutch since the 2d of August, and the crops are in consequence completely burnt up. The same had happened in some parts of Kattywar, so that this is now the third year these unfortunate countries have been exposed to great distress from a scarcity of grain.

In another part of our present Number, will be found an elaborate Judgment delivered in the Supreme Court of Bombay, by Sir Edward West, the Chief Justice, in the case of a native Indian, to whom he has administered justice. We invite our readers' especial attention to the proceedings of this firm and upright Judge; they deserve to be cheered and encouraged by all just men, here or elsewhere, to support him under the painful duty of filling his high office as becomes a man.

The case in question was hanging over the head of the defendant for four years and a half, without any possibility of the defendant's pushing it on or bringing it to trial, the king being the prosecutor.

It was spun out to a long duration in the hearing; five days were expended on the part of the king; above three days and a half in proving the case; and one day and a half on the evidence in answer

to the defendant's case, and the reply of the Advocate-General. Three days were occupied in proving the defendant's case. The costs must have been enormous, as the counsel require fresh fees every day; and all these costs fall upon the defendant, though he obtained a verdict, as the king never pays costs!

The mode in which the case was conducted by the Advocate-General was exceedingly objectionable; much the greatest part of the time consumed was occupied in tendering evidence which no barrister just called to the Bar in this country would venture to offer even to the most insignificant Court of Quarter-Sessions.

The conduct of the Bombay Government was highly indecent in employing a person (Captain Robertson) who was interested, expecting, as he expressed himself, a share of the prize-money "if there were any going," and who was also a witness in the cause, to conduct the prosecution.

The conduct of Captain Robertson himself, as mentioned in the report of the case, was quite in unison with that of his employers, as he is said to have stationed a Native in Court to take notes for him, after he had, as a witness in the cause, been directed, with the other witnesses, to withdraw until called to be examined.

Such is the influence of the Government over the Press in Bombay, that though a copy of the Judgment in question was sent to the Editor of the 'Courier, the Gazette of the Government, for publication, neither that paper, nor either of the others, would insert it.

On the subject of the Press at Bombay, we have received some very instructive documents, in the shape of affidavits, as to the actual proprietors of the newspapers there, in conformity with the regulation of Sir Edward West, printed in our last. The great length of the Judgment in the case of the Native, and other long-delayed matter, compel us to postpone these affidavits, of which we shall give an account in our next; as well as of a most important exposure of the system of Bombay police—the establishment of the Small Cause Court—and other matters, which painful and embarrassing occupations of another kind have necessarily delayed longer than we wished.

#### PERSIA.

The following is an instance of the cruel oppressions practised under a despotic Government, and the summary justice which sometimes overtakes them. Though such barbarous punishments strike terror at the time, they are too uncertain and unequally distributed to afford protection to the people against similar outrages:

A communication from Persia narrates the circumstances of an atrocious murder at Ispahan. The deed was committed on the body of Simon Hyrapiet, a respectable Armenian, by the orders of Hajee Hashim Khan, the Chief of a tribe of Shirhonees. The scene of the outrage was the convent of Julpha, one of the suburbs of Ispahan. M. Hyrapiet was first seized by the servants of the Khan, and forcibly tied up at the gate of the convent. The Bishop of the religious establishment solicited pardon in vain, he and the other clergymen being driven back into the church, whilst the hapless victim was shot with a musket. The head was thrown into a pit, and the

body mutilated. The following is an extract of a letter alluding to this atrocity :

" I am happy to send you the intelligence of the arrival of the King of Persia, at Ispahan. His Majesty entered the city with great honours, and visited Julpha on Easter Sunday. Almost his first act was to cause the arrest of Hajee Haslim, who was brought into his presence bound in fetters. The King, after having previously investigated the matter, and found Hajee guilty of the most savage crimes, ordered him to be exposed on the rack, and the severest torture inflicted upon him. He accordingly suffered the utmost rigour of the law, his beard was shaved without water, and with a blunt razor, his nose was slit open, and a black cord passed through it, he was placed on an ass, holding the tail, and carried through all the bazaars, amidst the ridicule of the spectators ; he underwent the severe punishment of the bastinado on the main road Ghaysery, his eyes were plucked out, his ears cut off, his body branded with red-hot iron, and he was compelled to eat his own ordure.

#### SINGAPORE.

It was recently stated in the 'Singapore Chronicle,' that an American vessel, which was found partly laden with arms, had been seized by a British man-of-war. The ground of this proceeding seems to have been an apprehension lest they should strengthen the hands of our enemies. But we cannot help thinking this interference with an American a very injudicious measure, when it is well known that all vessels, British as well as foreign, have had every opportunity for many years past of supplying the Burmese with arms and ammunition of every description. Vessels trading from Calcutta itself, frequently, we are informed, conveyed them in large quantities to Rangoon. From the observations of the intelligent Editor of the 'Singapore Chronicle,' it was plain that the measure was considered there as any thing but necessary or useful. A letter from that place, dated on the 20th of August last, from which the following is extracted, contains some remarks on the subject :

You will see by the 'Singapore Chronicle' that some writer has been taking the liberty of commenting upon some of your articles regarding this part of the world. That the individual who has done this did not set you right, and expose the hollow pretensions with which Sir Stamford Raffles has deceived the people of England, is, I suspect, not his fault ; perhaps he dared not descant upon the system of puffing which that officer has followed with so much assiduity and success. One instance will, however, be sufficient to satisfy you that he is undeserving of the unqualified praises which you have thought proper to bestow on him, and which I have no doubt you believed that he merited. He declared the Port of Singapore a *free* port ; and, at the same moment, ordered and authorized the Master Attendant (*his own brother-in-law*) to levy a duty for anchorage on all vessels, European and Native, touching at the port for any purpose ! This would have been very well, had the said duty been paid into the public treasury. But no ! it was pocketed by the Master Attendant, and no account of it rendered to Government at all. *Jobs*, like this, are common enough in India ; in the present instance, the departure of Sir Stamford was fatal to it, and the first act of Mr. Crawford was the total abolition of the duty ; by which the port was really made free.

One of the late Numbers of the 'Singapore Chronicle' contains a short paragraph about the seizure of an American ship. This circumstance is one

deserving of some notice from you: the Editor could not probably say more upon the subject than he has done, but it would have been well if he had noticed the impossibility of preventing the Americans (if they are so disposed) from trading with Singapore. The situation of the settlement, surrounded on all sides by numerous islands and convenient harbours, renders it extremely easy for vessels to lie amongst them, and conduct trade to any extent, without ever entering the Singapore harbour. The vessel which has now been seized was not suffered to stop here, but sent on immediately to Calcutta, where the case will be decided. It however involves matters of considerable importance, and will probably, in the end, become a subject of discussion between the nations, as the right of search on the high seas, is a subject on which the Americans have always entertained much jealousy. The feeling which the case has excited here is a general one of regret and resentment, and I think with some reason. It is seldom that we are visited by any of his Majesty's ships, and it is hard that men who ought to be the protectors of our commerce, should prove the disturbers of it. This same man-of-war has done more harm by passing through our harbour than all the pirates in the Malayan Archipelago would have done in twenty years. The American had a valuable cargo, and 4500 dollars in specie.

#### BENCOOLEN.

Some of our readers must feel interested in knowing what has been the fate of the inhabitants of this place since it ceased to be a British dependency. According to the accounts received, upon the transfer to the Dutch being carried into effect, trade was quite at a stand, and property had fallen full 80 per cent.; one of the best houses in the place, with a mortgage of 4000 rupees on it, and which sold formerly for 6000 rupees beyond that sum, was put up to auction and did not get an offer; 200 head of government cattle were sold at ten dollars each; they were worth twenty-four. The convicts and stores were to go to Penang and Singapore. The troops and officers to Bengal direct. The civil servants to Singapore, on their present salaries, to await further orders. The furniture and live-stock to be sold. Every thing was packed up, and the whole were ready to start the moment the Dutch made their appearance. It was supposed that not more than fifteen families would remain, including merchants and those pensioned by the Honourable Company. One vessel has brought round 120 convicts, and some military stores to Penang. The *Horatio*, which arrived there on the 18th, brought eighty convicts.

#### NETHERLANDS INDIA.

The accounts from Batavia, down to about the middle of November, were still unfavourable. The most gloomy anticipations prevailed with respect to the opening of the next season, as the Native Powers, though repulsed in the field, were by no means broken or subdued. The following are extracts of letters, dated the 7th and 8th of November:

When I last wrote, I was in hopes that every thing was nearly settled; however, the insurgents are still in great force, and have been fighting hard for their independence; they have uncontrolled possession of a great part of the Lolo and Djocjo provinces, and are likely to keep so for some time, as the Dutch have no force to subdue them; and without speedy resources of both men and money, I think it will soon be worse. General De Kock

is trying to negotiate with the Chiefs, Dupo Negira and Manceboomie, but they are very stubborn. They seem to have adopted the most effectual kind of warfare—to harass the Dutch; for as soon as a force is sent against them they partially disperse, and form a large body in a different part of the country. The whole of the eastern part of the island may now be considered in a state of revolution, and as the rains are now commencing, the Dutch can only act on the defensive.

General De Kock has not reduced Dipo Nigoro, and as the rains are now setting in, we do not think any thing decisive can be done this season. In the mean time, however, troops may be daily expected from Holland, and no serious alarm need be apprehended for Samarang or Sourabaya. Several slight engagements have taken place between the rebels and the Dutch, which, though the latter have uniformly gained, are of advantage rather than otherwise to the Javanese, as giving them so many lessons. The Pangerang of Serang is still in the neighbourhood of Salutiga.

#### CAPE OF GOOD HOPE.

This Colony, distinguished by so auspicious a name, seems destined to have its "good hopes" often disappointed, and suffer that "sickness of the heart" which arises from "hope deferred." No glad tidings have yet been received of the departure of Lord Charles Somerset, nor of the arrival of his successor. A pamphlet printed at Cape Town has lately reached us, containing an interesting report of the proceedings in the case of his Majesty's Fiscal against L. Cooke, W. Edwards, and J. B. Hoffman, for an alleged libel on C. Blair, Esq., Collector of the Customs, on which we may hereafter find an opportunity of offering a few remarks.

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### PARLIAMENTARY PROCEEDINGS REGARDING INDIA.

#### EAST INDIA JURIES BILL.

No part of the conduct of our present very popular Ministry more deserves the applause and gratitude of the nation than the measures adopted for improving our judicial code, and more especially the reforms introduced as to the mode of selecting juries. Mr. Peel has undertaken a work of great labour and importance, which will place his name very high among British legislators; and we are happy to find that his colleague, Mr. Wynn, is now adopting a course which may equally entitle him to the gratitude of our fellow-subjects in the East. The Right Honourable the President of the Board of Control, in following so excellent an example, labours under two great disadvantages, from which his colleague is exempt: he is entering upon a field not so completely within his reach as the field of British law is to Mr. Peel; he is legislating for a distant country, and a population with which he can only become acquainted by the information of others. In his first attempts, therefore, though made with an honest desire to improve their condition, some errors may be committed, which it will require much subsequent labour to rectify. And we are, on that account, anxious to take the earliest opportunity of expressing our senti-

ments on the East India Jury Bill now in progress through Parliament.

We shall first state how the law has hitherto stood in India, on the subject of juries. By the Act of Parliament and the Charter founded on it, erecting a Supreme Court of Judicature at Fort William in Bengal, it was enacted, that the juries should be composed of "British subjects resident in the town of Calcutta, and not otherwise;" and it is again said, that they are to be "subjects of Great Britain, of us, our heirs and successors," and "resident in the said town of Calcutta." The question then is, what is meant by British subjects? Are not all persons born under the British flag, and particularly those within the jurisdiction of the Supreme Courts in India, yielding obedience to British law and authority only, and acknowledging no other allegiance whatever, to be considered as British subjects? Such is the natural, and, we would say, rational interpretation of the Act; and so it seems to have been interpreted by the first judges who exercised their functions under it. For we find, that on the memorable trial of Nuncoomar, in 1776, about three years after the Court was established, Mr. Weston, a person born in India, was one of the jurors. Again, so late as the sessions of 1822, Mr. Henry Chalcraft, carver and gilder in Calcutta, an East Indian, was summoned and regularly sat as a petit jurymen. These two instances alone are sufficient to decide the point of law affirmatively, that persons born there under the British flag are acknowledged to possess the rights and privileges of British subjects, under that Act, as jurors. And the negative, we believe, has never been judicially decided by any judge in Bengal. It appears, however, to have been negligently left to the various returning officers to summon whom they chose as liable to serve; and these officers, being themselves natives of Great Britain, indulging a supercilious prejudice, formerly much more prevalent than now, against persons born in India, the latter were habitually excluded from associating with the European inhabitants in discharging the office of jurors. The judges, with a natural leaning to their own caste, refused to interfere when appealed to against this unjust partiality. The only reply that could be elicited from them, on the occasion of an application to Sir Hyde East and Sir Francis Macnaghten, was, that it lay with the sheriff to summon those he thought proper; that the judges would give him no directions on the subject.

Such being the practice, it was attempted to be justified, by laying down a doctrine, that the term "British subjects," used in the Act, only meant persons born in the United Kingdom, and their legitimate descendants. If this were correct, then the jury which tried Nuncoomar was illegal, and that unfortunate man was murdered beyond all shadow of doubt. But besides the precedents of Mr. Weston and Mr. Chalcraft, irreconcilable with such a doctrine, it appears to be inconsistent with the use of the term British subjects in other Acts relative to India. We refer particularly to the grant of the island of Bombay to the original East India Company, dated the 26th of March 1669, which declares that "all persons being his Majesty's

subjects, inhabiting within the said island, and their children and their posterity, born within the limits thereof, shall be deemed free denizens and natural subjects, as if living and born in England." And if this be not sufficient to establish the right of Natives of that island to sit upon juries, we may appeal to what has been recognised in practice,—Sir Charles Forbes having declared last year, in the House of Commons, in our hearing, that he himself had served upon a jury, in Bombay, along with Natives of the country; that this was the established practice formerly; and a very salutary practice, which he knew of no good reason for discontinuing.

Mr. Wynn, on introducing his Bill to the House of Commons on the 22d of February last, to regulate the mode of appointing juries, stated, that as the law was now interpreted by the Supreme Courts in India, all but British-born subjects were excluded from sitting on juries. "There was thus, besides the great body of Natives, a large proportion of the Christian population, denominated half-caste, who were excluded from juries, as well as the illegitimate children of European parents. Could any one suppose, he asked, that this was consistent with British legislation?" He would give the most extended interpretation to the law: he would consider all persons born in the British dominions, British subjects. But as the Supreme Court gave it a contrary interpretation, it became necessary to amend the law itself. His object, in so doing, was to admit all "good and sufficient persons" to serve on juries in India; including, of course, men of every caste and creed. The Bill, by which it is proposed to accomplish this object, and which has already passed a second reading, we here subjoin entire, deeming it a document of no small importance:

*A Bill to regulate the Appointment of Juries in the East Indies.*

Whereas by an Act passed in the thirteenth year of the reign of his late Majesty King George the Third, intituled, 'An Act for establishing certain Regulations for the better Management of the Affairs of the East India Company, as well in India as in Europe,' it is among other things enacted, That all offences and misdemeanors which shall be laid, tried and inquired of, in the Supreme Court of Judicature at Fort William, in Bengal, shall be tried by a jury of British subjects resident in the town of Calcutta, and not otherwise:

And whereas it is expedient that the right and duty of serving on juries within the limits of the local jurisdiction of the several Supreme Courts at Calcutta, Madras, and Bombay, should be FURTHER EXTENDED;

May it therefore please your Majesty, that it may be enacted; and be it enacted by the King's most excellent Majesty, by and with the advice and consent of the Lords spiritual and temporal, and Commons, in this present Parliament assembled, and by the authority of the same, that *all good and sufficient persons* resident within the limits of the several towns of Calcutta, Madras, and Bombay, and not being the subjects of any foreign state, shall, according to such rules and subject to such qualifications as shall be fixed in manner hereinafter mentioned, be deemed capable of serving as jurors on grand or petit juries, and upon all other inquests, and shall be



liable to be summoned accordingly; any thing in the said Act, or in any other Act, charter or usage to the contrary notwithstanding.

And be it further enacted, that the respective Courts of Judicature at Calcutta, Madras, and Bombay, shall have power from time to time to make and establish such rules with respect to the qualification, appointment, form of summoning, challenging and service of such jurors, and such other regulations relating thereto, as they may respectively deem expedient and proper: Provided always, that copies of all such rules and regulations as shall be so made and established by such Courts of Judicature, shall be certified under the hands and seals of the Judges of such Courts to the President of the Board of Commissioners for the affairs of India, to be laid before his Majesty for his royal approbation, correction or refusal.

Provided also, and be it further enacted, that grand juries in *all cases*, and all juries for the trial of persons professing the Christian religion, shall consist *wholly* of persons professing the Christian religion.

It is somewhat remarkable that Mr. Wynn, having already distinctly recognised the legal right of Natives of India, as the law now stands, to sit upon juries, and condemned the narrower interpretation given to the term "British subject," as obviously inconsistent with the principles of British legislation, should now seem to legalize that erroneous gloss, by declaring that the present Bill is for a "further extension of the right of sitting upon juries;" whereas it at the utmost only confirms the right to the same extent the former Acts of Parliament intended it to be enjoyed. Under these circumstances, the Bill should rather be declaratory; and for "further extended," might with propriety be substituted, that the "extent of the right and duty of serving upon juries, &c., be more clearly defined." At first sight, this point of form may seem of little moment; but it is important that the Parliament should not, by implication, declare all the trials on which persons born in India have sat as jurors, to have been illegal; or the Judges and others, who were concerned in conducting and carrying the verdicts of such juries into execution, as in Nuncoomar's case, will stand in an awkward predicament.

Again, consistently with Mr. Wynn's opinion, (in which, it appears to us, the best authorities concur,) that "all persons born in the British dominions are British subjects," by the present Act, the right of sitting upon juries is not "further extended." It is greatly *narrowed*; for, by the former Acts, Natives, Hindoos, or Musulmans, might legally have sat as jurors on the trial of a Christian. Now they are entirely incapacitated from so doing by an express Act of Parliament. This is a most important part of the Bill, the consequences of which do not appear to have been well considered. Let us suppose a case, of by no means improbable occurrence, that a Native has been murdered by a European or Christian; and further, that the murderer is a man of high rank and influence. He may be a Judge, who has caused the death of some helpless individual in his district, by a barbarous illegal infliction of punishment; and, however guilty, it is well known he may easily bring forward hundreds of his servants and dependants to swear to his innocence. If this person is tried ex-

clusively by Christians—solely by persons of his own faith, who are thus strongly biassed in his favour as a fellow-believer—will the public think impartial justice done; or will the Natives, when they see the blood of their countrymen not avenged, believe that laws, so partially administered, are intended for their protection? More especially, when they hear, as they often do, the British Judge telling the jury, that Native testimony is not to be believed; that it is impossible on such evidence to yield credence to the fact, that an Englishman—a high-minded Englishman—could be guilty of such and such acts! Judicial harangues of this kind to such juries, and the verdicts resulting, have already entirely shaken the confidence of the Natives of Bengal in the administration of justice. And when Native jurors are admitted in other cases, the exclusion of them from the trial of Christians will look the more suspicious.

If it be supposed that Native jurors would be too much prejudiced against a European culprit, or Hindoos against a Christian, still it is not necessary, in order to correct this bias, that the Native Hindoos, &c., should be entirely excluded from the jury-box. If one half the jury were Christians, the Christian culprit would have a sufficient guarantee that his life could not be taken away unjustly. Taking into account the submissive disposition of the Natives, and their habitual obedience and deference to their Christian rulers, one-half of the jury composed of Christians might be considered, as in point of moral weight, a greatly preponderating majority. The admission of one-half of Native jurors would consequently be attended with no possible danger, and very great advantage, by mingling all classes together, so as to produce a community of sentiment, and, amid the collision of conflicting opinions, elicit truth, or, at least, give the people generally greater confidence in the pure administration of justice. The Europeans, by mixing with the Natives in the jury-box, and discussing with them the respective merits of the evidence, (usually Native evidence,) would acquire a deeper insight into the Native character, and be better able to appreciate the value of Native testimony. Such knowledge is no less necessary in the trials of Christians, since, as just observed, they are almost uniformly determined by the evidence of Hindoos or Musulmans. As persons of these religions are uniformly admitted as witnesses on the trial of Christians, we can see no good reason for excluding them entirely as jurors.

On the other hand, we can see no advantage or propriety in having a Hindoo or a Musulman tried by jurors all of his own caste. This is not expressly said in the Bill; but from the conversation which took place on the second reading, it is understood to be intended by Mr. Wynn. Is it not manifestly impolitic to give a criminal the benefit of all the prejudices of men of his own way of thinking, who may be therefore strongly disposed to screen him from punishment, more especially if the crime for which he is tried have been committed against persons of another caste? In that case, the jury should consist of persons of both these castes. If the man be innocent, since the jury

cannot condemn him unless it be unanimous, if one half the jurors be of his own caste, he has sufficient protection. This is the principle, and it appears to us a very just principle, of the English law, as applied to foreigners tried in this country, who are allowed to have six of their own countrymen and six Englishmen in the jury. From acting on this in India, the best effects might be anticipated, as it would tend to produce a good understanding and cordial co-operation among the different classes, and afford mutual protection to all. But if every class be left to punish its own delinquents, and the jurors be kept in so many distinct sections, it will have a tendency to keep up for ever the pernicious distinctions now existing, which are the greatest evil in Indian society. This is the very mode to sow the seeds of perpetual jealousy and discord; whereas the other would have a powerful influence in promoting union and harmony, by accustoming people of all castes to act together. We therefore think that it should be a general rule to have one half of the jury Christians; the other composed of the most respectable Natives of the place, of every denomination. If any departure from this rule were to be desired, it might be regulated, that in cases where Christians only are concerned as parties, (that is, the offender and the person or persons injured, be they dead or alive, being all Christians,) the jury might consist wholly of Christians. Or where Natives only were concerned, in the same way, it might consist entirely of Natives; regard being had to combine or separate the jurors of the different castes, according as the matter of offence concerned only one or more castes. The system introduced into Ceylon by Sir Alexander Johnstone will here afford an excellent pattern for our guidance. The greatest danger is adopting a system too complicated, or leaving too much to be determined by arbitrary discretion as the cases arise. The Bill before us has the defect of leaving almost every thing to the discretion of the judges; though it is the misapplication of such discretionary power, hitherto, which has rendered the Bill at all necessary; for it is merely intended to remedy their neglect, in not extending the right of sitting upon juries, as it was their duty to have done. Though their fault hitherto has been too great a leaning towards the Christian jurors, the Bill which leaves them so much license every where else, most unnecessarily ties up their hands here, lest they should now be too unfavourable to this class. And lastly, though the Supreme Courts of Judicature were erected expressly to protect the Natives against the oppressions of Christians, to which they are now most exposed, the Christian oppressors are to be made the sole judges of each other's conduct, reserving to themselves exclusively, in their own case, both the functions of judges, barristers, grand and petit jurors. So many precautions in favour of the Christian appears to us quite superfluous; and the composition of the petit jury, at least, if not made half and half in all cases, might safely be left to the discretion of the judges on the spot, who are in no danger of neglecting the just interests of their own countrymen.

But whatever may be the form which this bill assumes in its minor arrangements, we are happy to see the gate of improvement set open.

Mr. Wynn has also intimated his disposition to extend jury trial to the Company's Courts in the interior, which will undoubtedly be a great blessing to the inhabitants. In the mean time, it is certainly worthy of consideration, whether East Indians, (or, as they are vulgarly called, "half-castes,") who labour under so many disadvantages in being excluded from every respectable office in the civil or military service of the state, might not be made eligible to the situations of the Native Commissioners, or Munsabs, now employed to decide petty causes in the zillah courts. In prosecuting these reforms, Mr. Wynn will have the satisfaction of knowing that he has not, like his colleagues in legislating for the West India Colonies, to contend with a spirit of opposition in the white portion of the inhabitants. Fortunately, we can say, for the British residents in India, that there exists among them a far more liberal spirit towards their fellow-subjects. Every file of papers we receive abounds with proofs of this cordial disposition in the Anglo-Indian public, to advance the Natives and "middle class" in the scale of social and civil rights. Of late, more especially, many publications have appeared, and a strong desire has been manifested in favour of the right of sitting on juries being extended; and not one, as far as we have observed, has raised his voice against it. Consequently, there is every reason to believe that Mr. Wynn's Bill, if formed on the most liberal principles, would be hailed as a very grateful boon among all classes of people in India, at least in Bengal, for we cannot speak so confidently for Bombay, far less for Madras, where the press has always been under too close a regimen to enable the public mind to expand with such liberal sentiments.

#### EDUCATION OF CIVIL SERVANTS.

A Bill was brought into Parliament, on the 16th ultimo, by Mr. Wynn, to suspend, for three years, the law by which no person could be sent out in the civil service of the East India Company, without having kept four terms in their College. The reasons he stated for this suspension were, that—

At the present moment there existed an absolute necessity for a larger number of young men being sent than the College could supply under the restraint of the present laws. This increase of demand for civil functionaries had been occasioned by the great extension of our territory, and the increased number of estates which had become subsidiary to us. In consequence of this, great difficulties had arisen in the due administration of justice. Persons had been known to conceal crimes rather than denounce them, in order to save themselves the inconvenience of undertaking a journey of perhaps one hundred, or one hundred and fifty miles, to the nearest seat of justice. His intention, therefore, was to move for leave to bring in a Bill to suspend for three years the operation of the Act which imposed this limitation upon the power of sending out writers to India. He said he was anxious, in doing this, to guard against the supposition that he was influenced by any feeling of disgust or disapprobation towards the College. He believed that institution to have answered its purpose. He would not at the same time deny, that if the question of providing such an establish-

ment had now been an original question, he would have preferred another system of education. He thought the system of engrafting the peculiar acquirements which the particular service demanded, upon the general liberal education which our great public seminaries afforded, upon the whole better than that of forming any exclusive establishment to prepare young men for a particular pursuit. He was convinced that the greatest advantages arose from the youths, devoted to different professions, being educated together, that generous emulation without hostility which prevailed amongst them, conduced to that formation of character, to which the greatness of the country might be in a considerable degree ascribed. He would repeat, however, that great advantages had resulted from the institution of the East India College. Since he had held the office which he now unworthily filled, a great and progressive improvement had taken place in the character of the civil servants of the Company, an improvement principally to be ascribed to this institution, which he therefore thought had fairly answered the purposes for which it was established. The present question, however, was, whether it was not incapable of furnishing the requisite number. Some of the students failed to acquire the minimum of qualification even in four terms. It might be thought that the most proper course would be to increase the establishment; but this measure evidently could not produce any immediate results. He thought it more expedient, therefore, to grant permission to a certain number of young men to qualify themselves elsewhere. At the end of three years, the whole subject would again come under discussion; and it might then, perhaps, be thought advisable to blend the tuition of the civil servants of the Company with the general studies of the youth of every other class. With respect to the other object which he had in view, he need only explain, that there was a clause which had been so construed as to prevent the payment to the representatives of officers, civil or military, dying during their absence from India, of the allowances due to them. The state of health of officers in India sometimes required them to go to the Cape, or elsewhere, to recruit. The operation of this clause had been to induce them to return whilst their restoration was yet imperfect, and in many such instances their lives had been sacrificed. He should conclude, by moving for leave to bring in a Bill to suspend the Act of 53 Geo. III., so far as it related to the appointment of writers to the East Indies, and to remove doubts as to the legality of paying the allowances of officers, civil and military, dying during their absence from India.

Mr. Hume was of opinion that the College, instead of improving, had, on the contrary, degraded the service; and Mr. Baring also declared, that he thought it had done more harm than good. Mr. C. Grant defended it, and maintained that the Company, in establishing this seminary, had preferred their interests as sovereigns to their interests as merchants, since those who expected patronage disliked it, because it required the alliance of qualifications with patronage. A regulated course of study at such a seminary he thought preferable to the test of an examination as to fitness for office; because the latter only secured a *minimum* of qualification which no one would try to surpass, and could only be a test of literary, not of moral aptitude. Mr. Trant denied that there ever was any necessity for establishing such a College, and believed the civil servants of the Company had been competent to the discharge of their duties previous to its institution. As to a "minimum of qualification," he had known

it produce young men as illiterate and ignorant as any he had ever met with: but it had also sent out very fine and able men. He could not admit the expediency of continuing to it the exclusive privilege of preparing young men for India. Mr. Wynn, in replying, observed, that it would be proper to unite some other competent persons with the Professors of the East India College, as the examiners of candidates for appointments in India, not having qualified at the College. This he thought would be proper, not that he apprehended partiality, but to prevent any suspicion of it. Leave was of course given to bring in the Bill.

The great difference of opinion among the speakers, as to whether the College has improved or deteriorated the service, one party asserting the former, the other directly the reverse, may perhaps be explained. Those who think mere learning as a knowledge of certain Oriental and occidental languages, &c. to be the highest qualification for office, may conscientiously believe that the College has vastly improved the service. But those who think that persons destined to wield very extensive and almost irresponsible authority in a distant country, ought to have the most enlarged and liberal minds, and be free from any common prejudices of education or *esprit de corps*, which should prevent them from operating as a check upon each other, will regard the College, where the embryo sovereigns are nursed up together as a distinct caste, as a very mischievous institution. It is easy for Mr. Wynn to launch forth in praise of men, the scene of whose operations is ten thousand miles off, and who have seized upon exclusive possession of the channels of information by which any account of their conduct can reach this country; so that they are, to use a common phrase, their own trumpeters. With such an advantage, no wonder if their fame resound all over the world. But to make such praise of any value in the estimation of the reflecting part of mankind, they must remove the shackles from the press, and allow the public voice to be heard.

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#### DEBATE AT THE EAST INDIA HOUSE.

On Wednesday, March 23, a Quarterly General Court of Proprietors was held. The Minutes of the last Court having been read,

Dr. PATERSON begged to call the attention of the Chairman, to what he conceived to be improper conduct on the part of some officer of the House. He (Dr. Paterson) had attended as early as eleven o'clock, in order to inspect the papers in the Proprietor's room. He, however, found the door locked, and notwithstanding repeated application, he did not get admittance till half past eleven o'clock, and it was only a quarter of an hour before the Court met, that the papers which he wished to see were laid upon the table. He hoped the Chairman would issue orders, which would prevent Proprietors from being subjected to such inconvenience in future.

The CHAIRMAN said, that he had been in the House since a quarter before nine o'clock. If the hon. Proprietor had sent to him, he would have caused the door to be opened immediately. He had no doubt that the neglect of the officer was unintentional, and that it would not occur again.

*Dr. GILCHRIST* hoped, that though his name was put off the red-book, it was not placed in the black one, and that when he proposed a civil question, he would receive as civil an answer. He therefore begged to know, from the Chairman, whether the cannons, muskets, and other weapons of offence sent to India, were tried and proved before they left this country?

The CHAIRMAN.—Decidedly so.

*Dr. GILCHRIST*.—At whose expense?

The CHAIRMAN said, he was not exactly prepared to answer that question; but as the Company seldom got any thing done for nothing, he supposed they paid for it.

*Dr. GILCHRIST* then asked, whether the arms were tried after their arrival in India?

Sir G. ROBINSON said, they were.

*Dr. GILCHRIST* wished to know, why the order which existed with respect to military appointments had not been observed. The order declared, that no subaltern, who rose to the rank of captain, should act as adjutant; but he observed that five captains were, at present, performing the duties of adjutants.

The CHAIRMAN said, that the hon. Proprietor ought to have informed him of the questions which he intended to propose, and he would then have prepared himself to answer them. It could not be supposed that he should be ready, at a moment's notice, to answer questions on every subject connected with the vast concerns of the Company.

Sir G. ROBINSON informed the learned Doctor, that the captains to whom he alluded, as performing the duties of adjutants, were captains by brevet.

The CHAIRMAN acquainted the Court, that the Court of Directors had, on the 7th instant, come to a resolution to recommend to the Court of Proprietors the following proposition:

“That Sir James Edward Colebrook, Bart., late of the Bengal Civil Establishment, be permitted to return to the Service under the provisions of the act of the 33d Geo. III. cap. 52, sec. 70, with the rank which he held when he had quitted Bengal, agreeably to the act of the 53d Geo. III. cap. 155, sec. 85.”

The resolution of the Court of Directors was then read. In that resolution, they declare that, though decidedly adverse to any departure from the principle laid down in the act of Parliament, relative to granting permission to civil servants to return to India, after an absence of more than seven years, yet they are of opinion, that Sir J. E. Colebrook is justly entitled to this indulgence, in consequence of his high character, and long and beneficial services.

The CHAIRMAN then moved, “That the Court agree to the said resolution.”

Mr. DIXON asked, whether the allowances of Sir J. E. Colebrook commenced from the time of his appointment, or upon his arrival in India?

The CHAIRMAN replied, that they commenced on his arrival in India.

*Dr. GILCHRIST* asked whether the case of Sir J. E. Colebrook differed in any respect from that of any other person who had applied for and been refused permission to return to the civil service?

The CHAIRMAN said, that the Court of Directors were of opinion that Sir J. E. Colebrook's case rested upon peculiar grounds.

Mr. TRANT congratulated the Court on the return of so able an officer as Sir J. E. Colebrook to their service.

The motion was then agreed to.

The CHAIRMAN stated, that by the 33d of Geo. III. cap. 52, sec. 7, it was necessary that this motion should be ultimately decided by the ballot; and he proposed that the 6th of April next should be fixed on for the decision of this question.—Agreed to.

#### EAST INDIA WRITERS' BILL.

The CHAIRMAN next acquainted the Court, that it was made special, for the purpose of laying before the Proprietors a draught of a Bill now before Parliament, entitled “A Bill to suspend the Provisions of an Act of his late

*Majesty respecting the appointment of Writers in the service of the East India Company, and to authorize the payment of the allowances of the Civil and Military Officers of the said Company dying while absent from India."*

The Bill was then read by the clerk. It recited the provisions of the Act of the 53d of his late Majesty, and went on to provide, that, during the period of three years from the passing of the new Act, the Court of Directors should have the power to send out young men to India who had not been students at Haileybury College, (as was prescribed by the 53d of Geo. III.), provided those young men produced testimonials to character and conduct, and acquitted themselves properly at certain examinations, the rules and regulations by which such examinations were to be conducted being left to the decision of the Court of Directors. The second part of the Bill provided for the payment of certain allowances to the representatives of civil and military officers, who, having left India for the benefit of their health, should chance to die within the period prescribed for their return to that country, which were at present withheld under such circumstances. It also provided, that payments which had been made contrary to the existing law, under circumstances of this nature, should be considered as having been legally made.

The CHAIRMAN moved, "That this Court concur in the provisions of the Bill now submitted to the Proprietors."

Mr. POYNDER wished to know whether the Bill had been introduced to Parliament in consequence of any previous decision of the Court of Directors. His reason for asking that question was, that the Court of Proprietors, by a large majority, (280 he believed,) decided that Haileybury College was a fit and proper institution in its present state, whilst the Bill upset that resolution, by introducing a change for which no reason was assigned in the preamble.

The CHAIRMAN stated, that on the 19th of August last, it was found necessary to communicate to the Board of Control that the College did not, at the present moment, afford the proper supply of civil servants; and it was therefore proposed, in order to remedy this inconvenience, that one of these courses should be taken—namely, that the object in view should be effected by an enlargement of the College—by an abridgment of the period during which it was at present necessary to remain there—or else by rendering it unnecessary, for a limited period, to receive education there at all. The last proposition was that adopted, and was embodied in the Bill now before the Court.

Mr. GAHAGAN observed, that if any thing was necessary to convince him that the decision which the majority alluded to by the hon. Proprietor had come to was wrong, the letter of the Court of Directors was sufficient for that purpose. That letter clearly proved the inefficiency of the institution.—(*Hear, hear.*)

Mr. HUME was happy to concur with the Court of Directors in adopting the bill now before them. He only regretted that his efforts to accomplish the same measure several years ago had not been successful, but he was always willing to take what was offered whenever it came, agreeably to his motto—"Better late than never." He only hoped that the restriction placed upon this bill would be extended. He was anxious that a longer time than three years should be given, now that his Majesty's Government were disposed to make the experiment of a more liberal course. He therefore submitted, that the Court of Directors ought to take into consideration the question, whether the time of probation of this new measure should not be four or five years instead of three. No man was more anxious than he was to see their public officers well educated; but they ought to consider at the same time how many meritorious officers there were in India, who were utterly precluded from availing themselves of the friends they had in the Direction, from their not being able to afford to maintain their children at the Company's seminary, although they had the means of giving them quite as complete an education out of it as they would acquire in it. With regard to that part of the bill which went to indemnify the Board of Control for the advances which they



had illegally made since 1821, he perfectly agreed, and thought they had acted wisely in making those advances. But although he would not interfere with the payments actually made to the military service in this way, yet, as he understood no such payments had been made to any of the civil servants, he thought it doubtful whether they ought to go back to the year 1821 in making those payments, or whether they ought not to commence them from the present time.

Mr. ASTELL defended the College, and denied that the letter of the Court of Directors had, as had been stated, proved the inefficiency of that institution. He was one of the majority which had been alluded to, and his opinion of the excellence of the College remained unchanged. (*Hear.*)

Mr. WEEDING hoped that the present measure would be rendered permanent, by which the Company would be enabled to enlist into their service talent from all parts of the kingdom. He did not wish to upset the College, but he was of opinion that it required modifications.

Dr. GILCHRIST strongly recommended that all persons proceeding to India, in the Company's service, should be previously instructed in the language ordinarily spoken in that country. The knowledge of the Sanscrit, which would enable a young man to translate an inscription engraven on a stone or copper-plate, which might chance to be dug up in an antient Hindoo temple, was very good in a literary point of view; but he was in favour of the promulgation of useful practical knowledge. The Company proved their arms before they sent them to India, and why not prove their servants also?

Mr. ELLIS condemned the present system of education at the College, by which the young men, who were compelled to mix only with persons destined for the same employment, were likely to acquire the feelings almost of a caste. He expressed his regret, that the College founded by Lord Wellesley at Calcutta had not been maintained as it ought to have been.

Mr. PATTISON thought it hard that the College should be run down on the present occasion. The institution had been found insufficient, not inefficient. He, however, agreed with his hon. Friend, Mr. Hume, that it would be better to extend the time of the experiment to five years.

Mr. DIXON expressed a similar opinion.

Colonel BAILLIE concurred in the propriety of the present measure; but if he thought that it cast any reflection on the College (which, he conceived, had fully answered the views of those by whom it had been originally supported,) or if he imagined that the term of three years was likely to be extended, he certainly would oppose it.

Mr. TRANT contended, that the College had not answered the purpose for which it had been intended. The young men educated there were not found so efficient as was represented.

General THORNTON wished the operation of the bill to extend to five years.

The motion was then agreed to.

Mr. GAHAGAN expressed a wish that drafts of the East India Jury Bill, and the Bill for continuing the Carnatic Commission, should be laid before the Court.

The CHAIRMAN said, that they were not bills affecting the rights and privileges of the Company, and, therefore, the by-law did not require them to be produced.

#### SHIPPING SYSTEM.

Captain MAXFIELD addressed the Court as follows:—Mr. Chairman, as the question respecting the mode of engaging tonnage for our commerce is one of great importance, I lose no time in bringing it forward before you quit that chair, in order that we may have the advantage of your professional experience; although in so doing, I come less prepared, from the short time I have had to examine the papers laid before us and other documents, to draw just conclusions, and illustrate by admitted data, facts and results evident and powerful when stripped of official forms, the obscurity of multiplied calcula-

tion, and the endless variety of figured statements, which tend to confound and perplex those who undertake such uninviting inquiry. Let not, however, one Proprietor who hears me be deterred, by the imagined magnitude and intricacy of the undertaking, from forming his own opinion on the subject before him; I ask him not to pin his faith to mine, but I entreat him to avoid delusion from a dread of difficulty and a love of ease; let him only judge for himself; his interests and mine, Sir, are the same. It must be to our advantage to promote the general interests of the Company, and to do that effectually, we shall see with our own eyes, and judge for ourselves, rather than be lulled to slumber over our affairs, by those who kindly propose to relieve us from the trouble of thinking.

In the papers laid before this Court in January last, it will be seen that the Company have now engaged for trade forty-seven ships, viz. twenty-four for six voyages, which are engaged at the highest rate, some as high as 26*l.* 10*s.* per ton, others for three voyages, and only five for one voyage, the average of which five is only 13*l.* 6*s.* per ton.

The expense incurred on the forty-seven ships altogether, for each voyage, amount to..... £1,187,778 10 11

Now, if instead of being engaged as above for six and three voyages, ships had been engaged for one voyage; at the average of 13*l.* 6*s.* per ton, the amount of expense per voyage would be only..... 739,493 6 0

And consequently produce a saving per voyage of..... £448,285 4 11

Again, by the papers laid before the Court, it will be seen that the Company freight and sail seven ships of their own, which have collectively performed in all thirty-one voyages out and home, and two voyages from Bombay, or equal to thirty-two whole voyages; for which they have entailed an expense, exclusive of their cost, of 1,176,139*l.* 2*s.* 11*d.*, being an average of 27*l.* 2*s.* 11*d.* per ton.

Now, if those ships had not been purchased, but tonnage provided as required at the rate it was obtained at those periods, a saving, exclusive of the prime cost of the ships, of no less than the enormous sum of £279,160 0 0 would have been effected; to which add the prime cost of the ships, or ..... 224,636 0 0

Exhibits a practicable saving on those seven ships of..... £703,796 0 0

If those seven ships were sold, or even burnt, Sir, and tonnage was obtained at the average at which the five single voyages are now sailing, a saving might be effected, per voyage, of no less than. .... £125,447 14 0

To which add the practicable saving on the forty-seven chartered ships of ..... 448,285 4 11

We have an assumable saving, per voyage, of ..... £573,732 18 11

But, Sir, there is a question asked by many, why should we attempt such saving; what benefit can we derive, our dividend being limited to 10½ per cent? I am aware that the Act which limited our dividend, without any possibility of increase, powerfully operated to induce us to repose, and inquire as little as possible, as to how our commerce was conducted; nor can we wonder that no surplus has been found applicable to the objects directed by the Act, as the strongest motive to induce human action was thus removed.

I am speaking of the effects produced, but am not the advocate for such indifference; and a little reflection, Sir, will convince any one who chooses to think, that although it may not appear to our immediate advantage, to inquire into and improve the management of our concerns, it is a subject of the deepest interest, and a paramount duty we are bound to perform.

I shall now proceed to show, Sir, that it is no less to our interest and advantage, to effect any reduction of expense possible, as well as a duty we owe to the public.

Supposing it could possibly be urged, that by virtue of our charter, which provided distinctly for the supervision of a controlling power over our political conduct, an acknowledged right was admitted, to conduct our commerce in any way we thought proper, as far as profit and loss were concerned; I say, Sir, if any supposition so monstrous could be entertained, it may be easily shown that our commercial transactions are so interwoven with political considerations, that we have no choice left as to the course we ought to follow, whatever may be our inclinations.

If the Legislature did not really anticipate any surplus profit when they directed the appropriation of it, and if it were a mere delusion never to be realized, still, Sir, there are considerations which render economy of such weight, that no sophistry can shake, or legal quibbling dispose of them.

In 1812, a Committee of the House of Commons declared, that "an augmentation of the number of European Judges in India, adequate to the purposes required, would be attended with an augmentation of charge which the state of the finances of India was not calculated to bear, and the same objections occur to the appointment of assistant Judges."

Here then, Sir, is the highest possible authority, pronouncing the means of administering justice to the enormous population under your Government, inadequate to the performance of the first and most sacred duties of all Government, while it furnishes the most powerful evidence and reasons, why you should economise not merely in India, but at home also.

The higher rate at which tonnage is engaged for the conveyance of stores and troops to India, chargeable to the Government of India, necessarily increases the expenses of India, and reduces its means.

Let us imagine, Sir, for it has been asserted that there was a want of shot in India to carry on the war against the Burmese, and you were called upon for a large supply, what would be the consequence? why, Sir, having ships taken up for six and three voyages, as well as some of our own, it becomes desirable to lade them, and they are laden, and the Indian Government in consequence becomes chargeable with probably double the rate of tonnage for which freight might be obtained in the shipping market.

Delay may also take place from thus waiting to load ships on our hands, which may not be ready to sail, and the consequences are then too evident, if other ships are then hired; our regular tonnage may, as is sometimes the case, sail half laden, or if they are detained, a heavy expense is incurred by demurrage. By such process, Sir, it is evident that much of the heavy charges of Indian war, which is always laid at the door of the Governor-General of the day, may be fairly transferred elsewhere; and, as amongst other complaints and outcry laid against Lord Amherst, the want of shot at the outset of the Burmese war was a heavy one, it is hardly reasonable he should be held responsible unless he had the means of taking them out in his pocket, with a prophetic knowledge they would be so soon required.

Much clamour, Sir, has been raised against your Governor-General; and from the silence of his natural protectors, all the existing evils and embarrassments may, by inference, be attributed to him; and I beg to declare my intention, whenever a motion shall be submitted embracing such subjects, to do my best to saddle the right horse, and not allow Lord Amherst to be made a scape-goat to cover the blunders and incapacity of others. I was led to this digression, Sir, from the extensive operation of the effects endured by engaging tonnage at a high rate; and, that it is our duty to obtain it at the most reasonable rate will not be denied;—let us inquire how much it is our interest to do so.

As the reasons which operated in the early part of our history, to equip ships employed in our trade in such an expensive manner, has long since ceased, it is our duty to avoid such unnecessary expense, and it is only to be attributed to the force of habit and prejudice that it has not long since been exploded. The uselessness of such equipments is evidently admitted by your engaging some of your tonnage on a plan less expensive and more commercial, and this of itself furnishes the best evidence that it ought to be generally

adopted. That the shipping employed by you in trade should be either in fact or pretension, any other than mere merchantmen, is too monstrous and absurd to be doubted at this moment; and your predilection for making your merchant ships as warlike as possible, is only equalled by your measures to render your vessels of war as commercial as possible. The expense of such equipment, Sir, is, however, only part of the evil produced; but to point out all the evils it entails, and all the mischief it engenders, would be to encroach too largely on your time. I shall therefore refrain from urging more than I am compelled to adduce, and purposely reserve the most powerful and conclusive argument on this occasion, trusting that the motives which induce me to do so will not be misinterpreted.

The existing system confers a patronage and power on the owners of the regular ships as extraordinary as it is unjust to the military branch of your service. The owner of such ships appoints his own commander, who is sworn in by you, and by virtue of such appointment, agreeably to your orders of 1804, thus obtains the rank of a Lieutenant-Colonel, although, by former usage, and when there were better reasons than at present for conferring consequence on your trading ships, the commanders held a rank between that of captain and major in your army; but, Sir, by the later orders the owner of a chartered ship obtained the power of superseding many officers who had served you in a capacity purely military from infancy to old age, by young men, who were in some cases not born at the time those they superseded held the comparative rank of field officers in your army. No man can entertain more regard and esteem for many of the individuals so favoured than I do; but, Sir, even-handed justice cannot admit such sweeping supercession as either politic or beneficial to our interests.

The splendid salaries enjoyed by your civil servants were considered by the state, and are, I believe, admitted by them to be fully equivalent to military rank; and why such princely profits, derived from trade by the commercial branch of your service, are deemed inadequate without the privilege of military supercession, it remains with you, Sir, to explain.

If we desire the renewal of our Charter, it may be well to consider whether an equitable regard for the interests and fair pretensions of all, rather than of the few, is most likely to obtain it. We are represented as hateful from having a monopoly, and from our commercial management tending to injure and oppress the general interests of this country; but, Sir, I am prepared to prove, by undeniable evidence, that by conducting our commerce on true commercial principles, this Company, instead of being deemed a public injury, would be acknowledged as a source of great national advantage,—a grand rallying point for commercial enterprise, an example worthy of general imitation, and a most powerful and stupendous pillar of support to the British Empire. These are considerations, Sir, which come home to us all who feel for the interests of this Company unconnected with lateral benefits; my interests as a Proprietor are merely those of all others who desire no advantage from shipping or commerce; and the agitation of this question has the promotion of our general interests for its object. But an opinion is industriously encouraged, that those who bring forward any motion from this side the bar are hostile to the interests of the Company. I beg to declare, Sir, that is not my case; and strange, indeed, would it appear, that with so large a stake in the hedge; I should entertain other than the most ardent desire to promote the general welfare of this Company.

I have long been studiously attentive to the conduct of your affairs both in India and in this country; and while I fearlessly presume to remark upon palpable and glaring defects, no man, Sir, can be more willing than I am to express the high opinion I entertain of the purity of intention and liberal conduct of this Company generally, to promote the public interest. I know of no Government, nor public body whatever, who have gone so far as this Company to sacrifice their own interest to promote the public good; and, in most cases, to excite similar good conduct on the part of their servants, who are, generally speaking, no less remarkable for talents and ability than per-

sonal disinterestedness. In one word, Sir, whenever such intentions have been defeated and frustrated, their defeat may be traced in every page of your history to commercial influence; every defect in your Government abroad, every evil, in fact, that you have had to contend with at home, all have arisen from a want of efficiency in the commercial branches of your service. This want of efficiency is a mill-stone about our necks, which defeats our best intentions, renders us unpopular at home, and not justly appreciated abroad.

I shall now adduce a short estimate, exhibiting some results of our commerce for ten years, commencing from 1793, when our dividend was fixed at 10½ per cent. From 1794, to 1803 inclusive, the prime cost of all goods purchased by this Company was ..... £31,068,118  
The amount of freight and other charges was..... 20,234,372  
Of which the freight and demurrage alone was ..... 12,108,882

Here, then, it is evident, beyond a doubt, that you have been carrying on a trade burdened with charges exceeding 65 per cent. on the prime cost. Can we wonder, Sir, that there is no surplus profit!

It is worth while to consider, that unless some surplus is realized, the most powerful argument for the renewal of the exclusive privilege of trading to China will be destroyed; while we should remember, that although such privilege were refused, we still exist as a commercial Company; but the continuing to trade there upon such management, will scarcely be even pretended; and it is therefore prudent to avoid having a long list of expensive ships upon our hands longer than necessity compels us. I therefore beg to submit four Resolutions, and conceive, Sir, they must meet your approbation; indeed, the last is so completely a test of friendly feelings towards the Company, that I entertain no doubt but it will meet with that cordial support from your side the Bar, which every measure will always claim, which has for its object the benefit of the Proprietors at large. Its object, Sir, is to solicit the permission of Parliament to divide a small portion of the surplus profits which may be derived hereafter from our commerce above 10½ per cent.; and although it may be urged by some that we should not go oftener to Parliament than necessity compels, yet, as we sought and obtained the permission of Parliament a few years ago to grant the ship-owners a sum little short of a million sterling, I think we may, with an equally good grace, seek the permission of Parliament to divide a small portion of such surplus as may accrue hereafter, as a stimulus to create a surplus, and consequently to promote the object Parliament had in view when they directed the application of such surplus.

The hon. Proprietor concluded with moving the following Resolutions:

“ 1st. That it appears from the papers laid before the Court in January last, that of the ships engaged for six voyages the highest is hired at 26*l.* 10*s.* per ton, or the average of the whole 23*l.* 17*s.* per ton per voyage. That the seven ships belonging to the Company have for all the voyages they have performed collectively averaged 27*l.* 8*s.* 8*d.* per ton per voyage. That of the ships engaged for one voyage, the highest is hired at 15*l.* 7*s.*, or the average of the whole but 13*l.* 6*s.* per ton.

“ 2d. That it is evident the engaging of ships for a number of voyages is liable to numerous objections, and that a considerable reduction of expenses may be effected by hiring tonnage as required, and employing ships of a smaller class than those now engaged for six voyages; and that the Court of Directors be therefore requested to avoid such engagements in future, to enable the Company to embrace those advantages which are offered from the extensive maritime resources of this country.

“ 3d. That it appears a portion of our trade has been conducted in ships of a smaller class more economically equipped, but possessing every requisite for commercial purposes; therefore, the extraordinary and expensive mode of equipment observed in the regular ships may be dispensed with, as well as in the ships belonging to the Company.

"4th. That this Court conceive it would tend to promote the public interests if the permission of Parliament were obtained to enable the Company to divide a small portion of the surplus profit which may accrue hereafter on our commerce above 10½ per cent., and that the Court of Directors be therefore requested to prepare a petition to Parliament, entreating the authority of the Legislature to divide such portion of the surplus profit above 10½ per cent. as Parliament may deem adequate to promote such object."

Mr. ELLIS seconded the motion, and expressed his thanks to the hon. Proprietor for the trouble he had taken in investigating the subject.

The CHAIRMAN felt it his duty to oppose the resolutions. He considered it advantageous to the Company's interests, that they should have a separate and distinct fleet of their own. Their ships were eminently useful in conveying out troops and warlike stores, and in taking cargoes from China. There were no ships in the world so well adapted to the purposes to which they were applied. Again, in case of a sudden emergency, such as the breaking out of a war, the Indian Government might immediately avail themselves of these ships, instead of being compelled to go into the market to engage inferior vessels at a high price. Another advantage, which should not be overlooked, was, that the Company's ships might be sent under secret orders. Under these circumstances, he could not think that the question was entirely a money question. As to the amount paid for freightage, the Company were obliged, by act of Parliament, to accept the lowest public tender that was made. If the hon. Proprietor could induce the ship-owners to take less than they at present demanded, he could only say that the Company would be very much obliged to him.

Dr. GILCHRIST said, he observed in the papers which had been laid before the Proprietors, that a ship now building, and which had yet received no name, had been taken up for six voyages, in the room of the *Kent*, which was burnt. He wished to know how this happened?

Captain LOCH said, that the owners of a ship, which was burnt, were privileged, by act of Parliament, to build another, which the Company were obliged to take up on the same terms as the former.

Dr. GILCHRIST apprehended that, under such an arrangement, the Company might, on the expiration of their charter, be burdened with the expense of keeping ships, for which they had no use.

The CHAIRMAN observed, that when the Company's charter expired, they would still exist as a commercial company.

Captain MAXFIELD said, that there might have been some excuse for keeping large ships, when our navy was not so powerful as it now is. At present, the British navy was sufficient to protect the Company's interests. (*Hear.*)

Captain LOCH said, that large ships paid considerably less port duties in China than smaller ones; that circumstance ought to be taken as a set off against the expense of maintaining the large vessels.

Mr. TWINING said, that the large ships brought home their cargoes of tea in excellent condition, whereby a considerable saving was effected to the Company. It should be recollected also, that owing to the equipment of the Company's ships, a fleet of them, under the direction of Commodore Dance, was enabled to beat off a fleet of French men-of-war under the command of Admiral Linois.

The Resolutions were then put, and negatived by a large majority, only five hands being held up in support of them.

The Court adjourned at half past three o'clock.

## JUDGMENT OF THE SUPREME COURT AT BOMBAY,

*In the Case of the East India Company's Government, at that Island, proceeding, in the Name of the King, against Amerchund Burderchund, a Native Indian of the Deccan.*

Pronounced by the Chief Justice Sir EDWARD WEST, on the 16th day of April 1825.

THIS is an information filed by the Advocate-General, by virtue of the 53d Geo. III. c. 155. s. 111. The information was filed on the 13th June 1820. The defendant's plea was filed on the 9th September in the same year. The information was amended on the 8th December 1821, and the cause came on to be tried in September 1824.

The information states, that on the 5th November 1817, and until the 1st of July 1818, an open and public war was prosecuted and carried on between the East India Company and Bajee Row, holding and exercising sovereign power and authority over a large part of the Deccan, a country situate within the peninsula of India, and adjacent to the territories of the said united Company. That in the prosecution of the said war, the whole of his territories, and all the rights of sovereignty, were, by conquest and right of war, transferred to the King of Great Britain. That on the 1st December 1817, the said Bajee Row caused a large sum of money, to wit, the sum of 598,385 rupees, being part of the revenues and public monies of the state over which Bajee Row held sovereign power, to be delivered to the defendant to be kept by him in trust for the said Bajee Row; and which money was received by the defendant on the said trust, by means of which premises, the said sum of money became the property of our said Lord the King.

2d Count. Is the same as the first, except that it states the money to have been the proper monies of the said Bajee Row.

3d Count. Is the same as the first, except that it states, in the conclusion, that the money became forfeited to our Sovereign Lord the King, by right of war and conquest.

4th Count. Same as third, except that the money is stated to be the proper money of Bajee Row.

5th Count. Same as the first, except that it states the defendant to have been indebted to Bajee Row in the money, as public money of the state.

6th Count. The same as the fifth, except that it states the defendant to have been indebted to Bajee Row, without stating the debt to be of public money.

7th Count. Is for money had and received by defendant, to and for the use of our Sovereign Lord the King.

8th Count. Is for interest on a debt due to the King.

To this information the defendant has pleaded the general issue, *nil debet*.

The case on the part of the Crown is a very simple one in point of fact. It is well known that, in the year 1817, a confederacy of the Mahratta States, of which the Peishwa was the head, was formed against the British; that in consequence hostilities were, in the November of that year, commenced, which ended in the complete defeat of the Peishwa, and the taking of his capital, and, ultimately, in his deposition, and the entire conquest of his and other territories. It appears that, after the taking of Poonah, Narroba Outia, (who, in the evidence, is stated to have once held the office of one of the treasurers of the Peishwa,) delivered to Captain Robertson, then employed with a military force to keep possession of Poonah, a paper, of the date of May 1817, which purports to be signed by the defendant, and by which he acknowledges to have received, as a deposit for the Peishwa, the

sum of 34,000 gold mohurs. The interest in and right to this sum, it is contended, has become vested, by conquest, in the King of Great Britain. This case, simple as it is in point of fact, and so easy, apparently, of proof, occupied the Court, upon the part of the Crown alone, more than three whole days. As a great deal of evidence was offered and pressed upon the Court very urgently, and the tender of it insisted upon being taken down by the Court for the consideration of the Court of Appeal, which the Court thought itself bound to reject, we shall go through the evidence on the part of the Crown with great particularity, and consider how far it supports the allegations of the indictment.

The first witness called, proves merely the death of Narroba Outia, in order to admit his depositions, which were taken *de bene esse*. Mr. Advocate-General then proposes to read the depositions of the deceased; but this was objected to, upon the ground that the depositions were taken on the part of the defendant, and the order being produced, that appeared to be the case; and the Court, after hearing the point argued by the Counsel on both sides, allowed the objection, upon the ground that when one party in a cause examines a witness under a commission, or *de bene esse*, the opposite party has no right to have such examination read; but the party examining him may produce the depositions in evidence, or not, as he pleases.

Two witnesses are then called to prove, what should in all cases be proved in the first instance, that the defendant is subject to the jurisdiction of the Court. These two witnesses prove the jurisdiction, as they state that the defendant came to reside here six or seven years ago, which is prior to the filing of the information; and that he has resided here ever since that time.

Depositions of Narroba Outia, taken under another order of Court obtained on the part of the prosecution, are then read.

The examination appears to have been conducted by Counsel before a former Recorder, Sir Anthony Buller. The witness states, that the receipt (that is, the receipt for 34,000 gold mohurs) is Amerchund's receipt. He adds, he afterwards deposited two lacs and 34,000 rupees, in part of which he received 9000 gold mohurs, and refers to the examination for defendant. He does not state in these depositions, that the signature to the receipt is in Amerchund's hand-writing, or that he is acquainted with Amerchund's hand-writing, or any thing more than that the paper is Amerchund's receipt. This mode of taking depositions certainly places the Court in some difficulty; and we cannot but entertain some doubt whether such deposition is proof of the hand-writing to the receipt. Upon the whole, however, we are inclined to think it is sufficient; but why other evidence should not be brought of the hand-writing of a person who is a shroff, or banker, and has resided in Bombay six or seven years, so as to put this part of the case beyond a doubt, we cannot understand. In this examination on the part of the prosecution, the witness refers to his examination taken on the part of the defendant; and the Court, after it was read, intimated to the Advocate-General, that now, perhaps, he might contend that the other examination should be read; but the Advocate-General expressed that he had no wish to read it.

The receipt, as it is called, is then read; and certainly, looking to the paper itself, it required much more elucidation than is contained in the depositions. At the end of the receipt are these words: "This writing is correct; this signature is the hand-writing of Amerchund himself." But no signature follows this. Does it mean that the signature contained in that sentence is Amerchund's hand-writing? If it does, surely it should have been proved that it was his hand-writing. However, though the evidence on the point is very loose and unsatisfactory, we think we must receive it as evidence that the paper is signed by the defendant.

An order of Court for the examination of Captain Lowe, *de bene esse*, is then read. The absence of Captain Lowe out of the jurisdiction is proved, and his examination offered in evidence, and allowed to be read, after objection to it on the part of the defendant's Counsel. There are certainly several parts of this examination which are not evidence: thus, the contents of the Mahratta paper therein mentioned, what Sir John Malcolm considered a



sufficient compliance with the terms offered to Bajee Row, and other passages, are not evidence. The only evidence we can gather from it, is the subsistence of hostilities, in June 1813, between the Peishwa and the British; and that the Peishwa came to a particular spot, selected between him and Captain Lowe, to meet Sir John Malcolm.

Hasker Ram Grela is then called, and proves the title of the Peishwa to be Shreemunt, the title used in the receipt or acknowledgment of the defendant. He says he has a pension from the Bombay Government. He never heard the Peishwa called Shreemunt Baba Saib, the words in which he is described in the acknowledgment, but Shreemunt Maharaz Baba Saib. But then again he says, he was called Shreemunt Baba Saib. He says, he recollects asking Amerchund for gold mohurs about two months before the battle of Kirkee.

Defendant said he had sent his money to Bombay, and that he had 25,000 rupees only with him. A part of the rest of his evidence is to show that the Peishwa was sovereign; and a part was extracted for the purpose of showing the distinction between the different treasuries of the Peishwa, in order, of course, to prove that the money in question was public monies. But all this examination about the treasuries came to nothing, when examined as to his means of knowledge by the Court.

Next is called Captain Robertson, and he is examined on the *voir dire*. He says he has signed a prize-roll, and "expects a share of the prize-money, if there is any going." And he says he attends in Court, at the express order of the Bombay Government, to assist in the prosecution of the cause. He is objected to as an interested witness, but is admitted by the Court, as it did not appear that he had any immediate interest in the event of the suit.

A part of his testimony is as to his having attended durbars, and which was, of course, to prove that the Peishwa was a sovereign Prince. He then is examined as to the commencement of hostilities; and we have a great deal of argument with respect to the proof of the subsistence of a war between the Peishwa and the East India Company. It is not necessary, however, to notice this discussion, as it appears that Captain Robertson actually witnessed an engagement between the troops of the two powers on the 10th or 11th November 1817, than which, of course, there cannot be better evidence of the subsistence of a war. However, it is necessary to notice an inaccuracy in the notes taken by the Prothonotary. His note says, that the Court ruled that this was not evidence of the commencement of hostilities; whereas this ruling of the Court applied to the former question. This witness further proves, that Poonah was taken possession of by the British in November 1817, and has ever since been in their possession. He says also, that the paper No. 1, which is the acknowledgment upon which the Crown rests its case, was received by him from Narroba Outia, or by his order.

The Treaty of Bassein, of the date of 31st December 1802, is then produced and proved, and the title of it read, for the purpose, we suppose, of showing that the Peishwa acted as sovereign prince, but it is not stated of what territories he was sovereign.

A paper is then produced by Mr. Newnham, which he calls a copy of the Treaty of Poonah; he says the original is at Calcutta. The copy produced, he says, is an authenticated copy, and he knows it to be such from its being forwarded in a despatch signed by Mr. Elphinstone; he says also, that the despatch is signed by all the members of Government. It was insisted that this was made evidence, without any proof of its being an examined copy, merely from the circumstance of its being forwarded in a despatch by the person who is said to have entered into the treaty, and the despatch being signed by the members of Government. It is quite clear that, even were it proved to be a copy, it could not be read without proof of the execution of the original.

We have then what is said to be a copy of propositions made to the Peishwa by Sir John Malcolm, offered in evidence, without any proof of its being a copy, and it was, of course, rejected by the Court.

The original despatch from Poonah from Mr. Elphinstone, which is said to

announce the Peishwa's deposition, is then offered in evidence, and that is, of course, rejected by the Court.

Captain Macdonald is then called. He says, that he accompanied Captain Lowe, Sir John Malcolm's first assistant, to the Peishwa; that some communication passed between Captain Lowe and a Native, in the Hindoostanee language, and that after the Peishwa retired, the Native continued the conversation with Captain Lowe. He says the Native went out very frequently. He says he afterwards went to the Peishwa, with Sir John Malcolm and Captain Lowe, to a spot which he says was spoken of during the first interview between Captain Lowe and the Native.

And upon this evidence the Advocate-General contended that he had established an agency between Captain Lowe and the Peishwa. The Court, however, were of a different opinion. We have then offered to us a paper writing which is not referred to by any letter or figure, and the purport of which is not mentioned, or upon what ground it can be made evidence. We suppose it to be a copy of the propositions which it is said Sir John Malcolm sent to the Peishwa; but it is not proved that the original ever reached the Peishwa, or that the paper is a copy. [Read evidence.]

A printed book, purporting to be copies of treaties between the British Government and Native Princes in India, ordered to be printed by the House of Commons, is offered as evidence of the Treaty of Poonah. The Court, of course, rejected this evidence.

We cannot but make some observations upon the mode which has been adopted of endeavouring to prove this Treaty of Poonah; first, what was said to be a copy, and that copy argued at very great length, to be authenticated by being sent down in a despatch by Mr. Elphinstone, and then by this printed paper, which was also insisted upon as evidence. That neither of these documents were evidence, is too clear to admit of a doubt; and yet, though the treaty itself is at Calcutta, as appears by the evidence, and though this information had been filed above four years before it was brought to trial, the obvious mode of proving the treaty by a commission, (if the treaty itself could not have been brought here,) and which might have been done in less than two months, was never resorted to.

Dajeeba Josey is then called, and he is examined as to the different treasures of the Peishwa; and the object of the examination is, we apprehend, to prove that the money acknowledged to be due by the defendant to the Peishwa, is public money. And we have a great deal of examination as to the word "Khasgeet," a word which had not then appeared in any of the documents put in evidence, but which afterwards appears in the exhibit marked A, put in evidence on the part of the defendant. He says there were four treasures; that one was called the Public Treasury, the other three, Private, or Khasgeet. He says, Narroba Outia, four or five years ago, was doing Khasgeet business. He says that one of the Khasgeet treasures was, seven or eight years ago, under Narroba Outia.

Captain Graham, the Interpreter, says that Khasgeet means "private;" in which interpretation the two Native Interpreters agree with him.

Balljee Punt is then called, whose evidence (a part of which was struck out) is not important. [Read evidence.]

Benaick Babjee Wag gives a great deal of evidence about the treasures of the Peishwa, and Narroba's business with the Peishwa. He says, he (Narroba) was sometimes ordered to receive money on the Government account, and gave receipts for the money. He says he several times, by order of Government, received money from Narroba, and paid money to him. He speaks also, on cross-examination, about the Moortub seal, the impression on which, he says, means "the end of writing." He says the seal upon the paper A (afterwards put in by the defendant) is the true Moortub seal. He says the same also as to the seal upon the paper C, which is afterwards put in by the defendant. He says that these two papers are written by Bhicajee Punt Wag, his brother, who was with the Peishwa.

Mullar Nurker says, that Narroba had the Peishwa's private money. A

paper, marked 2, is shown him, and he says it is his writing, and that he wrote it, by Narroba's order, before the war. He says it is an account of the Peishwa's Khasgeet; and upon this the paper is offered in evidence, upon the ground, as I understand, that it charged Narroba with the receipt of money for which he was accountable, and was, therefore, against his interest. It has already appeared in evidence that Narroba is dead. We were obliged to have a translation of the instrument made, as none was left with the officer of the Court. The object of it is, of course, to prove, that the 34,000 gold mohurs deposited with the defendant, were public monies. We do not think that this paper is evidence, as it does not appear that it charges Narroba.

That part which the Advocate General wished to use as evidence, clearly goes in discharge of Narroba, as it states that 34,000 gold mohurs were deposited with the defendant. It does not appear what the balance is, or on which side of the account; and besides, it is stated by the witness that the paper was cancelled, and that originally it was merely a foul copy.

The witness then proves, that the paper M. N., afterwards put in by the defendant, is in Narroba's hand. He proves also the Moortub seal to the papers A. and C., and that the dates of those papers are in the Peishwa's writing. He also states, on the Court's suggestion, that the formal parts of the case had not been proved; that Poonah is in the Deccan, and that it is adjacent to the territories of the United Company.

On the next day, Captain Robertson is again called. He is first examined on the part of the defendant, and states, that he had ordered the whole of the Native evidence to be taken by a clerk of his; that he was ordered by this Government to assist in the cause; and that, therefore, he took every opportunity of ascertaining what was going on, and consulted with the Advocate-General as occasion required. He says, that his clerk was stationed in this Court to take notes for him, as he must report to this Government on the proceedings. Captain Robertson says that he read the notes; and upon this ground he was objected to as a witness. An order was made at the commencement of the cause, upon the application of the Counsel on both sides, that the witnesses should withdraw; and the object of the motion of course was, that they should not hear the evidence given by other witnesses before they were called upon to give evidence themselves. Captain Robertson, in particular, on its being requested by the Advocate-General that he might remain in Court, was objected to, and he was ordered to withdraw. Upon being called again as a witness, it appears (not as mentioned by him in the first instance, but on the examination of the opposite Counsel) that he had stationed in Court a person to take the evidence which he had read; upon which he was of course rejected as a witness. Mr. Morgan is then called, and says that Mr. Chaplin is Commissioner for the affairs of the Deccan.

This is the case upon the part of the prosecution. The important part of the case, namely, the acknowledgment of the defendant of having received 34,000 gold mohurs for the Peishwa, sitting here as a jury, we consider as proved; though certainly, as we observed before, much more satisfactory evidence might and ought to have been adduced of the hand-writing of the defendant. Then we must consider whether the formal allegations are proved. They are,

1st, The existence of a war between the East India Company and the Peishwa.

2d, That the Peishwa held the sovereign power over a large part of the Deccan, a country situate within the peninsula of India, and adjacent to the territories of the said United Company.

3d, That the whole of his territories, and all his rights of sovereignty, were, by conquest and right of war, transferred to the King of Great Britain.

With respect to these averments, though we are aware of them individually, yet we conceive we cannot take judicial notice of them. We again and again, during the trial, inquired whether they would be admitted by the defendant;

and when answered in the negative by the defendant's Counsel, intimated to the Advocate-General that it would be necessary to prove them.

It will be remembered that, at the end of the third day of the trial, the Advocate-General stated that he had closed his case; and that we then told him we thought he had better consider whether he had proved the formal parts of his case; and that, should he find he had not, he might supply the defect the next morning. In consequence of this intimation, two questions were put to the witness under examination; who then said that Poonah was in the Deccan, and that it is adjacent to the territories of the Company.

It is quite clear, that the rules of law require that all facts should be proved, of which the Court cannot take judicial notice, however notorious those facts may be. These rules of the English law do not require vindication from us, though to vindicate them would be no difficult matter. Nothing, indeed, would produce greater uncertainty and more confusion than to allow Judges to take judicial notice of facts, because they are said to be notorious.

We think, therefore, the Court cannot, according to the rules of law, take judicial notice of all or any of these allegations. Are they then sufficiently proved,

1st, As to the subsistence of a war between the Company and the Peishwa? This is proved by Captain Lowe in his examination *de bene esse*, who states, that hostilities had subsisted between the parties in June 1818, which terminated on the 3d of June. Captain Robertson states, in fol. 22, that he witnessed an action on the 10th or 11th November 1818.

This is sufficient evidence of the existence of a war between the East India Company and the Peishwa.

2d, As to the Peishwa holding sovereign power over a large part of the Deccan, a country situate within the Peninsula of India, and adjacent to the territories of the said United Company? That the Peishwa was a sovereign prince is clear, from the evidence of Ram Goela, and of other witnesses, but we do not find a word in the evidence of his being the sovereign of a large part of the Deccan, or that the Deccan is a country situate within the Peninsula of India.

3d, Neither do we find any evidence as to the transfer of the Peishwa's territories, and all his rights of sovereign by conquest, and right of war to the King of Great Britain. It is stated, indeed, that Mr. Chaplin is Commissioner for the affairs of the Deccan, but what the nature of his commission is, or from whom he derives it, the evidence is totally silent. We are of opinion that these points are not proved, and that the defendant is entitled to a verdict on this ground alone; but though we are of this opinion, yet, as the whole case has been gone through, and we sit here to perform the functions not only of a Court, but of a Jury, we shall proceed to consider the rest of the case, that the Court of Appeal may be able to distinguish the grounds of our judgment; that they may be able to separate our finding on the facts as a Jury, from our judgment of the law upon those facts. Sitting here as a Jury, the Court alone are competent to decide upon the credibility of witnesses, and other facts upon which the verdict of a Jury is final. But if we err in point of law, the Court of Appeal may set us right, and therefore it is necessary to point what part of the decision rests upon fact, and what upon our view of the law, and this judgment will be appended to the other proceedings which are submitted to the Court of Appeal.

Supposing the formal allegations which we have mentioned had been proved, still we are of opinion that we have no evidence that the money deposited with the defendant was public money, and therefore that the Advocate-General would have made out his case upon the 2d, 4th, and 8th counts only, which state the money to have been private money of the Peishwa's; and supposing the defendant not to have made a sufficient defence, a verdict would have been entered upon those counts only, and the defendant might have moved in arrest of judgment, and by that means have discussed the point of law whether the private debts of a sovereign are transferred by conquest to the conqueror.

## DEFENDANT'S CASE.

We shall now proceed to the defendant's case, and shall first state the outline of it, and then consider how far it is made out by the evidence adduced.

The defendant rests his case in part upon the payment of 25,000 gold mohurs to the Peishwa, and in part upon a subsequent agreement made between him and the Peishwa, that the value of some jewels which he had taken to the Peishwa, and which had been mislaid, should be deducted from the sum remaining due from him.

The defendant also attempts to prove the payment of a large sum of money to Narroba Outia, who is said to have been one of the Treasurers of the Peishwa, and produces what purports to be a receipt from him.

In proof of the payment of the 25,000 gold mohurs, the defendant puts in a paper (Exhibit A) directed to the defendant, which runs thus: "There is due by you the Government deposit amount, in Surat gold mohurs, in part of which, for the expenditure of the forces, the sum of 25,000 gold mohurs is caused to be given from you to Bapoorjee Gunnish Goela, which said sum is for the expense of the forces, or carried to the credit of the army account, dated October 5th, 1818." This exhibit is sealed with the Peishwa's seal, as the defendant says, and the date of it written by the Peishwa himself upon this paper. It may be as well to observe now that the word "Government" is not a correct translation of the original word, "Khasgeet." The translator, Captain Graham, in the body of the translation, puts the word "Government," but, in a note appended to the translation, he says the word does not mean "Government, or Public," but that it means exactly the reverse, namely, "Private." It will be remembered, too, that in the case for the prosecution he is examined as to the meaning of the Mahratta term, and gives the same meaning to it, namely, "Private," and that the two Native Interpreters agree with him in this interpretation. If the word had been "government," the paper put in by the defendant would have supplied one of the most important defects in the evidence for the prosecution, for it would have proved the deposit for which this prosecution has been instituted to have been *public monies*, as the word really is; if the paper be substantiated by evidence at all, it proves that deposit to have been the private monies of the Peishwa.

The defendant does not stop with this receipt as evidence of the payment of the 25,000 gold mohurs, but adduces evidence of the actual payment of the money. The witnesses tell us, that some days before the battle of Kirkee, (the date of which, however, no where appears,) Bapoo Goela, the celebrated Mahratta warrior, and Commander-in-Chief of the Peishwa, was at the house of the defendant in Poonah, and that several bags of gold were counted out before Goela and Narroba Outia, and delivered to Wassoodew Punt, who is said to have been present, and then in the service of Goela.

In order to prove the other part of the defence, namely, the delivery of jewels to the Peishwa, the value of which the Peishwa had agreed should be deducted from the debt due by the defendant, the defendant puts in another paper (C), which purports to be directed to the defendant, and the translation of which runs thus—"In the year of our Lord 1817-18, three jewelled ornaments, of the value of 116,000 rupees, were brought from you to the Government, or Sircar, on approval, on which occasion you sent for them back, but it was not known what has become of the said three ornaments, which were delivered to the charge of some, by the Sircar, during the disturbances and state of hostilities; on finding the said ornaments they shall be forwarded, but should not these said ornaments be found, then, in part of the gold mohurs deposited, there are nine thousand gold mohurs remaining due by you, in which the loss shall be considered, or (in which) as the translation expressed it, (it will come to deduct and break,) dated May 8th, 1818." The translation of this instrument is certainly not very clear, but the meaning of it appears to be, that the value of the jewels shall be deducted out of the 9000 gold mohurs. This paper was also, as the defendant attempts to prove, sealed with the seal of the Peishwa, and the date of it written by the Peishwa himself.

In confirmation too of this instrument, the defendant adduces evidence of the actual delivery of the jewels to the Peishwa.

The Advocate-General endeavours to invalidate these instruments, by attempting to prove that all the state papers of the Peishwa, orders for money as well as receipts, have the word "Bar" upon them; the meaning of the word "Bar" being, we understand, "let it be recorded," and that these two receipts, not having that word, cannot be genuine.

It is necessary to make an observation upon the dates of these two documents.

The paper put in by the defendant to prove the repayment, by him, of 25,000 gold mohurs, appears, by the translation, to bear date October 5th, 1818, that is, four months after the termination of hostilities, and the paper (C) (about the jewels), which states that but 9000 gold mohurs remain due from the defendant, being the difference between the original sum of 34,000 gold mohurs deposited and the 25,000 repaid, is dated May 8th, 1818, which is five months before the date of the receipt for the 25,000 gold mohurs. This inconsistency was not noticed by the Counsel for the Crown, but struck us when we came to examine the papers, and, of course, made a considerable impression upon our minds against the case of the defendant, but before we decided we thought it right to ascertain whether the translation of the date of the paper (A) was correct. After some trouble, we found it was totally mistaken in the translation, and that the date of the original is October 16th, 1817.

This corrected date makes the case on the part of the defendant perfectly consistent. On the 16th October 1817, if his evidence is believed, he pays the Peishwa 25,000 gold mohurs; in May 1818, the agreement about the jewels is made, by which it appears that 9000 gold mohurs only remain in the defendant's hands.

The documents A. and C. were before shown to two of the witnesses adduced for the prosecution, who said that the seals were the Peishwa's seals; that the writing of the dates were in the hand of the Peishwa, and that of the body in the hand of Bhiccajee Punt Wag.

The witness Annajee Guinness says, that he was employed in the treasury of Govind Kesso, who was Treasurer to the Peishwa; he says, that Bhiccajee Punt was also employed in that treasury; he says, he has seen the Peishwa write; he says, the Peishwa sometimes writes the date upon papers, and sometimes affixes the Moortub seal to papers; and he swears, that the date at the end of the two exhibits is in the Peishwa's handwriting; he says also, that the body of each of the papers is in the handwriting of Bhiccajee Punt. He says, that Bhiccajee Punt went from Poonah with the Peishwa, at the time the war broke out, and that he was always near the Peishwa, and with him, and that he used to go to the palace every day; he says too, that Narroba Outia was employed in the Khasgeet treasury about the Peishwa's own money. Then the exhibit marked M. N. is put in and read; and this purports to be a receipt or acknowledgment, by Narroba Outia, of having received eighteen bags of cash from the defendant, and is dated the 19th November 1817.

Hurry Vurtuck is then called, and says, he was a broker at Poonah. He says, that about fifteen or twenty days before the battle of Kirkee, (of which the date is not to be found in the evidence,) he was at the defendant's house, and that he saw Bapoo Gocla there. The witness sat down stairs, and saw Narroba Outia come down stairs. The witness afterwards went up stairs, and saw the defendant weighing gold mohurs, and delivering them to Wassodew Punt, a man of Gocla's; he says he saw two bags of 500 gold mohurs each weighed, and he saw five or six bags besides full of gold mohurs; he says about thirty or forty small bags were there.

He proceeds to say, that the Peishwa told him he wanted some jewels; upon which, knowing the defendant had some, he went to the defendant, and told him the Peishwa wanted some jewels, and to take them to the Peishwa. He then went with the defendant to the Peishwa, and showed him the jewels; he says the jewels were left with the Peishwa, after some conversation about the price.

On cross-examination, he says, among other things, that there were thirty or forty of Gocla's men about the house. He says that it was about twenty or twenty-two days before the battle of Kirkee.

Wiswanath Joscy is then called. He says he knows the Peishwa personally, and held a situation under him. He says he knows the Moortub seal; that he has seen it used by the Peishwa himself, and by his directions, and that he has often seen the Peishwa write. He says that the seals to the two exhibits, A. and C., are the Moortub seal, and that the dates of the two papers are in the Peishwa's writing. He says also, that the body of the exhibit A. is in the writing of Bhiccejee Punt, but he is not asked as to the handwriting of the body of the exhibit C. He says,—and this goes to another part of the case, namely, the payment of a large sum of money to Narroba, at Bhatrailla,—he saw the defendant after the battle of Kirkee, near the fort of Cingur, and at Bhatkulla, which is near Cingur. He then comes to what has occupied a great deal of our time—the word “Bar.” He says, on cross-examination, that orders for money used to have the word “Bar” upon them. He says that he did not say that the word “Bar” was written upon receipts, but only upon orders. He says, I never saw any receipt with the word “Bar” upon it. I do not know, says he, whether the word “Bar” is written upon receipts or not. We see no contradiction in all this. [Read evidence.] He then says, that the receipt A. &c. are Khasjeet receipts, and that the body of each of them is in the writing of Bhiccejee Punt. He says, that Narroba Outia was the Khasjeet keeper, and that Bhiccejee Punt was always near the Peishwa. He says, afterwards, that the Peishwa wrote in several different ways. He wrote like Nana Furnivise, and others; he wrote in six or seven different hands, but when he saw him write it was like the exhibit C., which is like Nana Furnivise's writing. He says, he knows another mode of writing, which was like the writing of Bhewlaker, upon the mode of writing the exhibit C. There is considerable discrepancy in different parts of this witness's testimony, so much that we cannot allow any weight to his evidence.

Ragoonath Sadoosew Vanouley is then called; and his evidence goes to prove the payment of the money to Narroba at Bhatculla, and says he left Poonah with the defendant. That the defendant had camels with him; five or six camels laden, and three or four horses with loads upon them. He says they were unloaded at Doonjia; that heavy bundles were taken from them, which were tied in gunny bags. He says he went to Bhatkalla, and the defendant accompanied him thither with his horses and camels. He says, Narroba Outia came to Bhatculla once when he was there, and sat with the defendant, and afterwards took away a load on horseback. He says he saw Narroba sitting upon his own mare, and the defendant gave him his own two horses, which were loaded, and Narroba rode his own mare. He saw some heavy bags put upon the horses. He says one bundle was like a two-thousand rupee-bag. He says he saw the defendant receive the letter M. N., which he read to the defendant, and he (the witness) dated it.

Bhowanydass Hurridass is also called to prove the same transaction. He says he is cash-keeper to the defendant; that he counted the money; and speaks to 25,000 gold mohurs being taken on his camels and horses.

Pandoba Mohundass speaks to the same transaction.

Narroo Shainrow says, that the word “Bar” is upon all state-papers. He says he has seen it upon the sunnuds and puftram, but upon no other.

Annajee Gunness says also, that upon the sunnuds and state-papers there was the word “Bar”; but he does not recollect having seen the word written upon Khasjeet papers. He says the word means, that the paper is copied and kept.

#### PLAINTIFF'S REPLY.

The plaintiff, in reply, calls Basker Ram Gocla again. He says he knew Wassodew Punt Nana. He and our house were related. He says that, for six months before the war, there was enmity between Wassodew Punt and Bapoo Gocla, and that Wassodew never came to the house of Gocla, or lived in it afterwards. He says that Wassodew never came to the house down to the battle of Kirkee. He says also, that Bapoo Gocla was never in the habit

of going to a merchant. [Read evidence.]—This evidence is given for the purpose of contradicting Hurry Vurtuck, (fol. 44,) who says that he saw Bapoo Gocla at the defendant's house, when the money was counted out, and that Wassoodew Punt Nana (a man of Gocla's) was there.

The next witness, Babjee Crustna, is called to the same points. [Read evidence.]

The next witness, Dajeeba Josey, says, that the Peishwa very seldom applied the Moortub seal himself. He says that upon papers which were sealed; but then he says that, immediately after Nana Furnivees was imprisoned, the Peishwa used to write the date himself sometimes. Then he says, that when the Peishwa wrote the date, he wrote in the style of Nana Furnivees. He says, that whatever papers were issued from his duffar, had the word "Bar" written upon it, but that no Khasgeet papers came to his office. He then says, that the dates to the papers A. and C. do not appear to him to be like the Peishwa's. He then said that Bappo Gocla was a great chief, &c. [Read evidence.]

This is the whole of the evidence both for and against the defence; and the chief question upon this evidence is, whether we believe the papers A. and C. to be genuine or not?

The seals of the Peishwa to the two instruments, and his hand-writing of the dates, are proved by a multitude of witnesses; some of them adduced on the part of the prosecution, and others on the part of the defendant. The seals are not invalidated at all; and the writing of the Peishwa is attempted to be disproved but by one witness.

Dajuba Josey, who speaks very doubtfully, and says that the writing does not appear to him to be like the writing of the Peishwa, with respect to the mode of authenticating the orders or receipts of the Peishwa, by writing upon them the word "Bar," the evidence upon that point on the part of the Crown is very scanty, and does not substantiate, in our opinion, that fact.

The only evidence to disprove the actual payment of the 25,000 gold mohurs, is that of Ram Gocla, who says that it was beneath the dignity of the great Gocla, his relation, to go to a shroff's shop, (but this evidence is not uncontradicted;) that Wassoodew Punt was not a servant of the great Gocla at the time of the payment; and that, upon his asking the defendant for gold mohurs about two months before the battle of Kirkee, the defendant said that he had sent all his money, but 25,000 rupees, to Bombay. Though this evidence, in contradiction of the defendant's case, is open to observation, we shall not make any comments upon it, as it is much too slight to weigh against the positive testimony by which the exhibits A. and C. are established; and we are, therefore, of opinion that these two papers are proved, and that they substantiate the payment of the 25,000 gold mohurs, and the agreement to deduct the value of the jewels, 116,000 rupees, from the remaining sum of 9000 gold mohurs.

There is, however, another part of the defendant's case which we must consider, namely, the evidence of the payment of a large sum of money to Narroba Outia, two or three days after the battle of Kirkee. To prove this, we have had a great deal of evidence which we need not recapitulate. We have also had evidence of the hand-writing of Narroba to the receipt; but, after the most mature consideration, we are of opinion that the defendant has not made out this part of his case. The evidence is very obscure and confused; there are several important contradictions in the testimony; and it is not proved, to our satisfaction, that Narroba had at the time he is said to have received the money, authority from the Peishwa to receive it.

We have thought it our duty thus to give our judgment at length, instead of contenting ourselves with simply giving a verdict for the defendant, that the Court of Appeal, should the prosecutor think fit to appeal, may see the grounds of our judgment, both as to the facts and as to the law of the case; and that the Court of Appeal may, if it should differ with us upon any of the points, ascertain the particular in which we have erred, and correct us in that particular, and order judgment to be entered according to their view of the case, instead of putting the parties to the expense of a second investigation.



That in analysing this confused mass of evidence; in correcting the errors of translations; in obtaining translations of documents, of which no translations were left with the officer; in ordering documents which were offered and put in evidence on the part of the prosecution, but which also were neglected to be left with the officer;—a vast deal of time and labour has been expended by the Court, it is scarcely necessary to mention.

We certainly do not regret that time and labour, if they have been the means of effecting justice, as far as the evidence laid before us enables us so to do.—**VERDICT FOR THE DEFENDANT.**

Ordered to be annexed to the proceedings.

(A true copy.)

AL. FERRIER, *Prothonotary.*

## CIVIL AND MILITARY INTELLIGENCE.

### CALCUTTA.

#### CIVIL APPOINTMENTS.

*Fort William*, Oct. 6.—Mr. R. Wells, Secretary to the Civil Commissioner in the Delhi Territories; Mr. F. O. Wells, Assist. to the Secretary to the Civil Commissioner in do.; Mr. J. S. Clarke, Assist. to the Sub. Treasurer.

#### MILITARY APPOINTMENTS.

*Fort William*, August 23.—Lieut. J. L. Tottenham, 3d regt. L. C. to be Interp. and Quarterm.; Lieut. G. R. Talbot, 8th N. I. to be Adj. v. Hall, prom.; Lieut. H. V. Glegg, 32d N. I. to be Adj. v. Steer, prom.; Lieut. R. E. J. Kerr, 57th N. I. to be Interp. and Quarterm. v. Marshall, rem. to 3d Extra regt.; Lieut. R. Delamain, 66th N. I. (now Adj.) to be Interp. and Quarterm. v. Grant, prom.; Lieut. M. G. White, 66th N. I. to be Adj.; Major Skene, 5th Extra N. I. to do duty with the 2d Extra N. I. at Cawnpore, till 1st October next; Lieut. and Adj. Hunter, Interp. and Quarterm. to 1st Extra L. C., confirmed.—24. Lieut. Burford, to act as Adj. to the 26th N. I. during the absence of Capt. Johnstone; Capt. Pemberton, 56th N. I. to act as Maj. of the Western Div. during the absence of Lieut. G. C. Smyth.—25. Lieut. Carleton, Interp. and Quarterm. 36th N. I.; Lieut. and Adj. May to act as Interp. and Quarterm. to 4th Extra regt. during the absence of Brevet-Captain Stewart, confirmed.—27. Ensigns A. G. Miller, A. C. Dewar, and F. Cookney, to do duty with 16th N. I.; Ensigns T. G. Mesham and D. Shaw, ditto, ditto, 20th N. I.—29. Lieut. Woodward to officiate as Interp. and Quarterm. to 2d N. I.—30. Cornet T. Fraser to do duty with 5th L. C. at Sultanpore, Benares; Ens. Nunn, do. do. 35th N. I. at Meerut; Ensigns Vicary and Peers, do. do. 20th N. I. at Barrackpore; Ens. Evans, do. do. 68th N. I. at do.—31. Lieut. Ramsay, to act as Adj. to 62d regt. v. Smith, app. to officiate as Sub-Assist.-Com.-Gen.; Lieut. McGrath to act as Adj. to 62d N. I. v. Ramsay, permitted to resign acting Adjty.—September 16. Lieut. G. H. Dalby, 68th N. I. to be a Dep.-Judge-Adv.-Gen. on the Perm. Estab.; Captain J. D. Parsons, Supervisor of the Estab. at Hissa; Brevet-Captain Nash to act as Interpreter and Quarterm. 62d N. I., confirmed; Lieut. and Act.-Adj. Robe, Quarterm. 26th N. I. (temp. app.)—October 7. Lieut. J. C. Maclean, 17th N. I. to be Barrack-Mast. of Fort William, v. Costley; Lieut. Lintrap to act as Adj. to 6 companies of the 42d N. I. during their absence from head-quarters; Lieut. Tottenham to act as Adjutant during the absence of Lieut. and Adj. Drummond; Lieut. Glen to be Adj. of the Mugh Pioneers; Lieut. Kinloch to be Adj., Interp., and Quarterm. 3d Ex. regt. v. Brevet-Capt. Ramsey, app. Fort.-Adj. at Delhi.—8. Lieut.-Col. the Hon. J. Finch, half-pay, to be Military Sec.; Capt. T. Macan, 16th Lancers, Persian Interp.; Capt. F. H. Dawkins, Gren. Guards, to be an Aide-de-Camp; Brevet-Major E. Kelly, half-pay, to be do.; Lieut. E. C. Archer, 87th regt. do.; Lieut. G. C. Mundy, 2d Royal Regt. extra do.; Capt. W. Agnew, 2d Madras N. I. do. do.—10. Lieut. W. Palmer, 35th N. I. to be Adj. v. Ridge, dec.—12. Capt. Oriol to act as Interp. and Quarterm. 2d L. I. (temp. app.); 2d Lieut. G. T. Greene, Engin., app. to the corps of Sappers and Miners.—14. Major-General Sir A. Campbell, K.C.B., H. M.'s service, to the Gen. Staff of the Indian Army (temp. app.); Col. M. McCreagh, C.B., H. M.'s

13th Lt. Inf., to be a Brig.-Gen. with the Force in Ava (do.) ; Capt. H. Tanner, of the Invalid Estab., to act as Regulat. Officer to the Bhaugulpore Invalid Thannah (do.) ; Capt. T. C. Watson, 2d Europ. regt. to command the Sylhet Local Bat. v. Dudgeon, dec. ; Major J. Maling, to officiate as Town and Fort Major of Fort William (temp. app.) ; Lieut. Col.-Command. Hetzler to command the Artil. serving within the Cawnpore and Meerut Divs. ; Lieut. G. R. Crommelin, 1st L. C. to be Adj., and Lieut. J. F. Bradford to be Quarterm. v. Brev.-Capts. Thornton and Bontein, prom.—17. Ens. T. Walker to do duty with 36th N. I. instead of the 23d N. I. as notified in G. O. of the 28th ult.—18. Captain Broadbent to take charge of the Diuapore Levy (temp. app.)—19. Lieut. J. Blencowe, 38th N. I. to be Adj. v. Hawkins app. to the Commis. Depart.—20. Ens. D. F. Evans to do duty with the 20th N. I. at Barrackpore ; Lieut. Bruce to act as Adjutant to the 48th N. I. v. Lieut. Smith, confirmed ; Capt. Earle to be Adj. of the Pioneer Corps (temp. app.) ; Captain Bunbury, to take charge of the Detachment of the 25th and 40th N. I. at Barrackpore.

## PROMOTIONS.

Sept. 16.—*Infantry*. Major C. Bowyer to be Lieut.-Col. v. Bucke, dec.  
 11th N. I. Lieut. and Brev.-Capt. R. S. Brownrigg to be Capt. of a comp. v. Dudgeon, dec. ; Ens. A. H. Shepherd to be Lieut.  
 Oct. 7.—20th Regt N. I. Ens. R. Stewart to be Lieut. v. Ross, dec.  
 30th N. I. Lieut. J. Blair to be Capt. of a comp. v. Whinfield, dec. ; Ens. A. Jack to be Lieut. v. Blair ; Lieut. M. Nicolson to be Capt. of a comp. v. Whinfield, dec. ; Ens. W. C. Campbell to be Lieut.  
 39th N. I. Ens. S. R. Wallace to be Lieut. v. Ridge, dec.  
 10th N. I. Lieut. S. Corbett to be Capt. of a comp. ; Ens. H. A. Shuckbrugh to be Lieut.  
 57th N. I. Ens. W. Hope to be Lieut. v. Kerr, dec.  
 60th N. I. Capt. S. Laud to be Major ; Lieut. C. B. McKenly to be Capt. of a comp. ; Ens. R. Drought to be Lieut.  
 Regt. of Artil. Second Lieut. H. M. Lawrence to be First Lieut.

## ADJUSTMENT OF RANK.

Oct. 7. Lieut. G. T. Marshall to rank from Sept. 11, 1823. v. Hodgson, prom.—14. Capt. J. Blair to rank from Aug. 30, 1825. v. Davidson, prom. ; Lieut. A. Jack, do. from do. v. Blair, prom.

## REMOVAL AND POSTINGS.

October 12. Lieut. Fisher, from 34th, posted to 35th N. I. ; Lieut. Gibb, from 35th do. to 34th N. I.—17. Lieut.-Col. Garnham rem. from the 27th to the 67th N. I.—18. Ens. Sandeman rem. from the 24th, and posted to the 12th N. I.

Oct. 7. The following officers have been allowed to return to their duty on this Estab., without prejudice to their rank.—Capt. W. Hough, 48th N. I. ; Capt. N. Penny, 1st Ex. N. I. ; Capt. W. Sage, 48th N. I. ; Lieut. E. N. Townsend, 31st N. I. ; Surg. P. Halket ; Assist. Surg. J. Clarke.—14. Lieut.-Col. R. C. Garnham, 27th N. I. ; Maj. W. Gage, 36th N. I. ; Surg. A. Dickson.

*Cadets admitted—Infantry*.—Sept. 16. Messrs. J. G. Ellis, T. Walker, T. E. Griffith, J. Snook, R. P. Alcock, D. Nisbett, M. Rittoe, J. Ramsay, S. G. Johnston, and C. J. Richardson.—Oct. 14.—*Cavalry*: J. Free and E. B. Conolly, to be Cornets.—*Infantry*: G. Wilcox, B. Marshall, W. D. Littlejohn, A. MacDonald, J. Marshall, T. G. Dundas, T. R. Dalrymple, and W. H. Rickards, to be Ensigns.

Sept. 16. Lieut.-Col. W. Collyer, 67th N. I., is permitted to retire from the service on the pension of his rank ; to take effect from the date of his sailing for Europe.

Oct. 5. Capt. G. H. Hutchins, 30th N. I., second in command of the Hugh Levy is permitted, in consideration of the state of his health, to return to his former situation of Command. of the Pol. Agent's Escort on the Nerbuddah.

## FURLONGHS.

*To Europe*: Ens. W. Elliott, 58th N. I. for health ; Capt. G. Everest, Artil., do. ; Lieut. G. Dyke, Artil., do. ; Lieut. A. J. Anstruther, 51th N. I., do. ; Lieut.

C. H. S. Freeman, 69th N. I., do.; Lieut. J. Knyvett, 66th N. I., do.; Maj. C. W. Brooke, 46th N. I., on private affairs.—*To Prince of Wales' Island*: Assist. Surg. C. C. Egerton, Superin. of the Eye Infirmary, four months, for health.—*To Penang*: Lieut. G. D. Johnstone, 40th N. I., six months, for health.—*To the Cape*: Superin. Surg. A. Ogilvy for fifteen months; Lieut. R. B. Wilson, Artill., for twelve months; Lieut.-Col. Vaughan, Town Major of Fort William, twelve months, for health.—*To New South Wales*: Capt. S. P. C. Humfrays, Dep. Assist. Commis. Gen., ten months, for health.

#### MEDICAL APPOINTMENTS.

Aug. 24. Surg. J. Torkington is admitted temporarily on the Estab.—26. Assist. Surg. C. Renney to be Surg. v. Napier, dec., with rank from 22d July, v. Proctor, dec.; Assist. Surg. Harlan directed to place himself under orders of Superintend.-Surg. at Cawnpore.—Sept. 12. Surg. Hall is appointed to the 14th L. C.; Surg. Tweedie and Assist.-Surg. Child to the 21th N. I.—16. Assist.-Surg. B. Burt, who was attached to the Expedition, having returned from Rangoon, is permitted to resume his medical duties at Moorshedabad.—30. Assist. Surg. T. K. Spencer, to perform the medical duties of the station of Backerunge.—Oct. 7. Assist.-Surg. J. B. Clapperton to be Surg. v. Grant, dec.; Assist.-Surg. Dennis is appointed to the 68th N. I.; Assist.-Surg. Oliver to the Artill. serving in Ava; Assist.-Surg. Spencer to join H. M. 87th Regt.; Assist.-Surg. Brown to join and do duty with the Artillery at Dum-Dum.—Oct. 8. Assistant-Surgeon W. Twining (Bengal Estab.) Surgeon, (Staff app.); Assist.-Surgeon D. Stewart to do duty with the 5th L. C.—10. Assist.-Surg. O'Dwyer app. to 2d Europ. Regt.—14. Assist. Surg. G. Simms to perform the medical duties of the Civ. Station of Commercolly; Mr. Hoffhauer as Assist.-Surg. on the Estab. (temp. app.); Assist.-Surg. Twining, Superin. of the Eye Infirmary (temp. app.)—17. Assist.-Surg. Greig to do duty with the 48th N. I., and to join at Saugor.—20. Surg. Govan to the medical charge of the Detach. of the 25th and 40th N. I. at Barrackpore; Assist. Surg. J. Clarke to do duty with the 20th N. I., to join at Barrackpore.

#### COURTS-MARTIAL.

*Head Quarters*, September 1st, 1825. At an European Court-Martial assembled in F. W., on the 16th of August, 1825, of which, Lieut.-Col. W. Collyer, 67th N. I., is President, Lieut. H. T. Ximenes, 20th N. I., was arraigned on the undermentioned charge:—

"For gross and wilful neglect of duty, in having absented himself without permission, from the garrison of F. W., on the 29th of July; he having been duly warned in garrison and reserve orders of the 28th of July, as subaltern officer for the main guard on the following day."

"The Court having maturely considered the evidence adduced in support of the prosecution, together with all that the prisoner has urged in his defence, are of opinion, that he is guilty of all and every part of the charge preferred against him."

"The Court having found Lieut. H. T. Ximenes, 20th N. I. guilty, do sentence him to be suspended from rank, pay, and allowance, for the space of six months.—Approved.

(Signed,)

E. PAGET, General, Com.-in-Chief.

Remarks by his Excellency the Commander-in-Chief:—Lieut. Ximenes is to be suspended from rank, &c., for the space of two months only, in consideration of his youth, and the expression of his contrition.

T. Mahon, Col. A. G.

*Head Quarters*, September 13th, 1825. At an European general Court-Martial re-assembled at F. W., on the 22d of August, of which Lieut.-Col. W. Collyer, 67th N. I., is President, Capt. J. Lane, 7th L. C., is arraigned on the following charge:—

"In having, on the 4th of June 1825, at Calcutta, on the high road, leading from the Course, where Capt. Eckford was taking his evening drive, having his wife in the buggy with him, rode upon horseback close to the side of the carriage, and addressed Capt. Eckford in the most brutal and indecent language. Such conduct being disgraceful to the character of an officer and a gentleman."

Upon which charge, the Court came to the following decision:—

"The Court having maturely deliberated upon the evidence adduced for and against the prisoner, are of opinion, that he is guilty of all and every part of the charge preferred against him."

"The Court having found Capt. J. Lane, 7th L. C., guilty of the charge preferred against him, do sentence him to be discharged the service of the Hon. Company." Approved.

(Signed)

E. PAGET, General, Com.-in Chief.

The Commander-in-Chief approves the sentence of the Court; but there are circumstances in Capt. Lane's case, which, coupled with his former good conduct in the field, and with his having been wounded in the service, have determined his Excellency to submit to Government his recommendation that he may be placed on the pension list.

T. Mahon, Col. A. G.

#### EGYPT PRIZE MONEY.

Sept. 16.—The Hon. the Court of Directors having notified the receipt, into their treasury, in London, of the amount of the 4th and final distribution of the Egypt Prize Money, the Right Hon. the Governor-General in Council is hereby pleased to direct that all claimants belonging to the Honourable Company's troops of the Bengal Establishment, shall submit their claims to share in that prize money through the prescribed channels, to the General Prize Committee at the Presidency.

The Governor-General in Council is further pleased to direct, that the General Prize Committee shall submit for the consideration and orders of Government, all such claims as shall have been investigated and passed by the Subordinate Committees; such appearing to the General Committee to be established, on their receiving the sanction of Government, they shall be passed by the Military Auditor-General, as a Member of the General Prize Committee; the bills to be returned to the Station Committees, for the purpose of being presented to the nearest pay-master, who will pay the amount to the President of the Committee by whom the shares of individuals are to be discharged, the President obtaining a receipt for the share paid to each individual, which he is to forward for record to the Committee at the Presidency.

Agreeably with the tenor of the Act 1st and 2nd George IV. cap. 61., claims may be preferred for six years, from the present date, for the above prize money, after the expiration of which period no claim can be received.

#### DISPOSITION OF THE GRAND ARMY.

The following statement of the disposition of the forces under Sir Archibald Campbell lately appeared in the 'Calcutta Government Gazette':—

1st or Bengal Division, commanded by Brig. M'Cleagh, C. B., H. M. 13th Lt. Inf. Artillery: Lt.-Col. Pollock commands.—1st Brig. H.M. 13th Lt. Inf.; H.M. 38th reg. Major Evans, H.M. 38th reg. Brig.—2d Brig. H.M. 47th reg.; 38th reg. Madras N.I.: Lt.-Col. Elrington, H.M. 47th Brig. Capt. G. F. Saldier, H.M. 47th Major of Brigade.—The Governor-General's Body Guard, Bengal Rocket Troop; 1st Troop Horse Artillery, and Bengal Foot Artillery.

2d or Madras Division, commanded by Brig. Gen. Willoughby Cotton, H. M. 47th reg.—Artillery: Lt.-Col. Hopkinson, Brig. commanding the Artillery with the Expedition. Capt. P. Montgomerie, M. B.—1st Brigade: 12th reg. Madras N.I., H.M. 41st reg.; 18th reg. Madras N.I.: Lt.-Col. Godwin, H.M. 41st reg. Brig.; Capt. A. Wilson, 10th M. N.I., M. B. (employed with Brig. Smelt, at Rangoon); Lt. J. Cochran, H.M. 41st, acting.—2d Brigade: 1st Madras European reg.; 9th reg. Madras N.I.; 26th reg. Madras N.I. Lt.-Col. C. McDowall, 1st Madras E. R. Brig.; Lt. N. Johnson, 26th Madras N.I., M. B.—3d or Light Brigade: 3d reg. or P. L. I.; 34th reg. or C. L. I. Lt.-Col. H. H. Pepper, 34th Madras N.I. Brig.; Capt. H. Kyd, 2d Madras E. R., M. B.; Capt. G. H. Budd, 43d Madras N.I. acting.—4th Brigade: H.M. 89th reg.; 7th reg. Madras N.I.; 43d reg. Madras N.I. Lt.-Col. Smelt, H.M.'s 41st Brig. commanding at Rangoon; Lt.-Col. T. H. Smith, 43d Madras N.I., in charge; Capt. P. Young, H.M.'s 89th M. B.—6th Brigade: 28th reg. Madras N.I.; 30th reg. Madras N.I. Lt.-Col. J. Brodie, 28th Madras N.I. Brig.; Capt. E. Brisco, H.M.'s 41st reg. M. B.—7th Brigade: H.M.'s Infantry, or Royal reg.; 22d reg. Madras N.I.; Lt.-Col. R. Armstrong, C. B., Royal reg.

**Brig.**; Lt. C. Lewis, H.M. Royals, M. B.—1st Bat. Madras Pioneers. The troops are at present stationed as follows:—

*Head Quarters, Prome.* H.M.'s 13th Light Infantry; H.M.'s 38th reg.; H.M.'s 47th reg.; Body Guard; Rocket Troop; Horse and Foot Artillery; H.M.'s Royals, 41st and 49th regts.; 12th, 26th, 28th, 30th, 38th, and 43d regts. Madras N.I.; 1st Bat. Madras Pioneers; Foot Artillery.

*Rangoon.* 9th, 12th, and 31st regts. Madras N.I.

*Dunabew.* 1st Madras European reg.; 22d reg. Madras N.I. Brigaded under Lt.-Col. Hastings Kelly, 1st Madras E. R., Capt. J. Kitson, M. B.

*Martaban.* 3d reg., or Palamcottah Light Infantry, under Lt.-Col. E. Coury.

*Tavoy and Mergui.* 7th reg. Madras N.I., under Lt.-Col. Court, Capt. T. G. Bishop.

#### MADRAS.

##### ECCLIASTICAL APPOINTMENT.

Sept. 22. The Rev. E. P. Lewis, Military Chaplain at Nagpore.

##### MILITARY APPOINTMENTS.

*Head Quarters, Sept. 12, 1825.*—Capt. J. C. Stedman, 34th N.I., to do duty with Inf. Recruiting Depôt at Wallajabad.—20. Lieut. C. H. Græme, 5th L. C., to join and do duty with 2d L. C. at Bangalore.—23. Capt. T. C. S. Hyde, of the 43d, and Lieut. J. H. M'Braire, of the 9th N.I., will join and do duty with Major Kelso's Detachment, about to embark for Rangoon.—21. Ensign W. C. M'Leod, 30th N.I., is appointed to the 1st Bat. Pioneers, vice Geoghagan resigned; Lieut. R. F. Eames, 33d, and Lieut. R. A. Joy, 27th N.I., to do duty, the former with the 28th, and the latter with the 26th N.I.—29. Lieut. J. Aldritt, Adj. 2d Bat. Artill., recently returned sick from Rangoon, to join his reg. at St. Thomas's Mount.

##### PROMOTION.

*Fort St. George, Sept. 6.*—Lieut. W. Brooke, 1st Brig. Horse Artill., to be Superintendent of Rocket Estab., at head quarters of Artill., v. Hunter.

*Orders appointed to do duty.*—Sept. 12. Cornet J. W. Stretell, with 1st L. C.; Ensign C. A. Cosby, 21th N.I.; Ensigns W. Strickland and G. A. Harrison, 32d N.I.; Ensigns R. Bullock and L. O'Brien, 1st N.I.

##### REMOVALS AND POSTINGS.

*Head Quarters, Aug. 9.*—Ens. N. Burrard, 1st N.I., removed to 1st Europ. reg., and will rank next below Ens. W. J. Manning; Surg. R. Prince, from 2d to 8th L. C.; Surg. J. Smart, from 48th N.I. to 2d L. C.; Surg. J. Annesley, from 8th L. C. to 48th N.I. Assist.-Surg. J. G. Malcolmson, from 45th N.I. to 3d L. C.; Assist.-Surg. J. R. Alexander, from Horse Brigade to 45th N.I.—13. Lieut.-Cols. J. Brodie, from 28th to 18th N.I.; C. Brook, from 16th to 28th do.; J. A. Kelly, from 18th to 16th do.; T. Smithwaite, from 42d to 45th ditto; J. Briggs, (late prom.) posted to 42d do.; Lieut.-Cols. G. Cadell, from 20th to 6th N.I.; and W. Woodhouse, from 6th to 20th do. Ens. R. Donaldson, from 27th to 6th N.I., and will rank next below Ens. J. D. Oliver. Capt. R. J. Marr, from 3d to 4th N. Vet. Bat.—16. Ens. G. P. Vallancey, 36th N.I., posted to Rifle Corps.; Ens. W. B. Pyper, 18th N.I., do. do.; Ens. W. H. Moore, 37th N.I., do. do.; Ens. J. Coles, doing duty with 31st L. I., do. do.; Lieut. (Brev. Capt.) T. Locke, 50th N.I., to do duty with Seringapatam Local Bat.; Lieut. (Brev. Capt.) H. Bevan, 27th N.I., do. do.; Capt. J. Ward, 39th N.I., do. do.; Lieut.-Col. H. Swayne, lately transferred to Inv. Estab., posted to 2d Nat. Vet. Bat.; Lieut.-Col. G. Cooper, removed from the 34th and posted to the 46th N.I.—Sept. 12. Lieut.-Col. H. Raynsford, removed from 3d to 6th, and Lieut.-Col. J. Collette, from 6th to 3d L. C.—22. Lieut.-Col. Com. J. Vicq, (late prom.) to 7th N.I.; Lieut. J. Coombs, removed from 38th to 21st N.I.; Lieut.-Col. D. C. Smith, (late prom.) posted to 38th N.I.—23. Lieut.-Col. F. P. Stewart, from 13th to 46th N.I.; and Lieut.-Col. Bowes, from 46th to 13th N.I.—27. Lieuts. J. Maitland, A. E. Baillie, and F. J. Brown, Artill., posted to 2d Bat.

##### MEDICAL APPOINTMENTS.

Sept. 2.—Sen. Assist.-Surg. J. Wylie to be Surg. v. Smart, dec.—18. Assist.-Surg. J. Richmond and G. W. Scheniman, ordered to place themselves under

orders of *Gen. Surg.* of <sup>at</sup> Fort St. George.—23. *Assist.-Surg.* N. A. Wood, 4th N. I., to afford *Med. aid* to the *Detach. of Artill. and Europ. Regt.* proceeding to Secunderabad.

*Assist.-Surgs. directed to join.*—J. Lamb, the A. troop 1st brigade Horse Artill. at Nagpore; D. Falconer, the B. troop ditto at Jaulna; J. Macfarland, the C. troop do. at Bangalore; D. Archer, the D. troop do. at St. Thomas's Mount; E. Finnerty, the A. troop 2d brigade Horse Artill. at Nagpore; D. Vertue, the B. troop ditto at Secunderabad; J. Smith, the C. troop ditto at Belgaum; J. Ricks, the D. troop at Bangalore.

## BOMBAY.

## CIVIL AND ECCLESIASTICAL APPOINTMENTS.

*Bombay Castle*, Aug. 11, 1825.—Mr. A. N. Shaw to be *Dep. Collector of Sea Customs* in the Concan; Mr. W. J. Hunter, *Dep. Col. of do.* in Guzerat; Mr. H. Brown, *Register* at Sholapoor; Mr. W. Malet, 2nd do. at Ahmedabad; Mr. J. H. Shaw, *Assist. to the Account.-Gen. and Civ. Auditor.*—Oct. 5. Mr. G. W. Anderson, *Judge and Crim. Judge* of Poonah and Sholapoor; Mr. S. Marriott, do. do. of Ahmednuggur and Candeish; Mr. W. A. Jones, do. do. of Surat.—8. The Hon. M. A. H. Harris, *Acting Register* at Dharwar.—17. Mr. J. Kentish, *Judge and Criminal Judge* of Ahmedabad; Mr. E. Grant, do. do. of Branch; Mr. W. Stubbs, *Register to the Court of Sudder Adawlut.*—22. Rev. R. Y. Keays, A. M. to be *Chaplain* of Surat.

## MILITARY APPOINTMENTS.

*Bombay Castle*, Oct. 22, 1825.—Lieut. S. Slight, appointed *Executive Engineer* to the Surat Division of the Army; Capt. Waddington ditto to the Baroda Subsidiary Force.—Capt. P. D. Ottey to act as an *Assist. in the Department of the Quart.-Mast.-Gen.* at the Presidency, until further orders.

*Cadets admitted.*—The Cadets for the Cav. are prom. to Cornets, and those for the Inf. to Ens. Date of rank to be settled hereafter.—*Cav.* Mr. L. Salmon; Mr. G. R. Erskine.—*Inf.* Messrs. A. A. Drummond, T. M. Dicklison, C. Birdwood, H. C. Morse, C. Rooke, E. W. C. Parry, J. Brodhurst, J. C. Heath, and C. Giberne.—*Med. Estab.* Messrs. J. Goss and J. Crawford.

## MEDICAL APPOINTMENTS.

Oct. 17.—D. Craw to be *Staff Surg.* to the Forces in Cutch; *Assist.-Surg.* C. Scott, *Dep. Med. Storekeeper* to ditto.—22. A. Eason to be *Assist. Apothecary* at Porebunder, v. Rozario, dec.—27. *Assist.-Surg.* G. Davis, *Med. Storekeeper* at the Presid until further orders.

## KING'S FORCES IN INDIA.

[From the *Indian Gazettees.*]

## BENGAL.

## MILITARY APPOINTMENTS.

*Fort William*, Aug. 19, 1825.—The Gov. Gen. is pleased to sanction the following temporary appointments with the force serving under Brig. Gen. Sir A. Campbell:

Lieut. G. B. O'Brien, of M. H. 38th Regt., to be *Dep.-Assist. Quar.-Mast. Gen.* on the Gen. Staff of the expedition, v. Waterman proceeded to Europe.—Capt. H. Piper, of H. M. 38th Regt., to *Dep.-Assist. Adj.-Gen.* to the Div. of Bengal troops serving in Ava.—27. Ens. O'Halloran, 14th Foot, to do duty with the Invalids belonging to H. M.'s service at Meerut.

## PROMOTIONS.

11th Lt. Drag. Capt. J. Tomlinson, from 13th L. D., to be *Capt.*, v. Wetherall, who exchanges.

1st Foot. Ens. F. Muleer to be *Lieut.* without purch., v. Williamson, dec.; Ens. J. W. Butt to be *Lieut. do.* v. Bichner, dec.; Ens. and Adj. J. Richardson to have the rank of *Lieut.*

2nd Foot. C. T. McMahon, gent., to be *Ens.* without purch., v. Torrens, dec.; Lieut. W. F. Hindle, 6th Drag. Guards, to be *Lieut.*, v. Berens, who exchanges.

14th Foot. Ens. T. White to be *Lieut.* without purch., v. Liston, dec.—32nd Foot. Lieut. R. H. Willcocks to be *Capt.*, v. Hopper, prom., and Ens. H. F. Stokes to be *Lieut.*, v. Willcocks; Lieut. G. Mackay to be *Capt.* of a Comp. without purch., v. Birch, dec.; Ens. W. H. Minchin, from 31st Foot,

to be Lieut. do., v. Mackay prom.; Ens. J. J. Lowth to be Lieut. do., v. Torrens, dec.

44th Foot. Ens. J. J. Boye to be Lieut. without purch., v. Gledstones, dec.; J. D. Young, gent., to be Ens. do., v. Boyce, prom.

46th Foot. Ens. N. R. Brown to be Lieut., v. Madigan, dec.

54th Foot.—Ens. C. Tobin to be Lieut. without purch., v. Considine, dec.

67th Foot. Ens. P. Hennessey to be Lieut. without purch., v. Robinson, removed to the 2nd Foot.

89th Foot. Ens. W. Campbell to be Lieut. without purch., v. Olpherts, dec.; W. Hope, gent., to be Ens. do., v. Campbell, prom.

#### MEDICAL APPOINTMENT.

Oct. 14.—Assist.-Surg. Stark, M.D., 14th Foot, to the Med. Charge of 54th Foot. (temp. app.)

#### FURLOUGHS.

*To Europe.*—Lieut. Frizill, 30th reg., for two years, for the purpose of retiring on half pay; Lieut. Taylor, 38th reg. for two years and a half on Med. Cer.; Maj. Tovey, 31st regt., for two years on Med. Cer.; Capt. Pickard, 47th regt., for do. on do.; Lieut. and Adj. M'Carthy, for do. on do.

*To Sea.*—Lieut. W. J. King, 89th Foot, for four months; Lieut. Brownrigg, 13th regt., for four months; Bapt. Taylor, 13th Dragoons, for six months on Med. Cer.

#### [From the London Gazettes.]

4th Lt. Drags. Lieut. C. P. Ainslie, from half-pay, to be Lieut. v. Lewis, who exch., rec. dif.

11th Lt. Dr. H. A. Reynolds to be Corn. by purch., v. Johnson.

16th Lt. Dr. Corn. G. S. Brown, from Cape Corps of Cav., to be Corn. by purch., v. Jillard, prom.; Lieut. W. Williams, from half-pay, 1st Drags., to be Paymast., v. Neyland, dec.

1st Foot. Lieut. J. Cross to be Capt. by purch., v. Macdougall, who retires; Surg. A. Armstrong, from Ceylon Regt., to be Surg.

3d Foot. W. G. Beare to be Ens. by purch., v. Gordon, prom.

6th Foot. Maj. J. Algeo, from 67th Foot, to be Maj., v. Taylor, who exch.

14th Foot. Ens. R. Daly to be Lieut., v. Horner, dec.; and J. B. Maxwell to be Ens., v. Daly.

16th Foot. Ens. G. Mylius to be Lieut. by purch., v. Henley, prom.; J. Cassidy to be Ens. by purch., v. Mylius; A. C. Sterling to be Ens. by purch., v. Delancey, prom.; W. Ashmore to be Ens. by purch., v. Sterling, app. to the 24th Foot.

20th Foot. Lieut.-Col. H. Thomas, from h. p., to be Lieut.-Col., v. J. Ogilvie, who exch., rec. dif.; F. Horn to be Ens. by purch., v. Boddam, app. to 18th Foot.

30th Foot. Ens. H. M. Dixon to be Lieut. by purch., v. Cheape, prom.; and J. M. T. Boston to be Ens. by purch., v. Dixon.

31st Foot. Lieut.-Col. J. G. Baumgardt, from h. p., to be Lieut.-Col., paying dif., v. Fearon, app. to 64th Foot; Ens. H. Evans to be Lieut. by purch., v. Campbell, prom.; T. Pearson, Gent. to be Ens. by purch., v. Mills, prom.

38th Foot. Lieut. J. F. Woodward, from 71st Foot, to be Capt. by purch., v. Matthewes, who retires; Lieut. A. Davies, from 11th Lt. Dr., to be Capt. by purch., v. Magil, who retires.

54th Foot. Lieut. J. Stoddard, from 34th Foot, to be Lieut., v. Lynam, who exch.; Hosp. Assist. J. Macdonald to be Assist.-Surg., v. Leich, dec.; Lieut. J. Crofton, from 3d R. Vet. Bat., to be Lieut., v. Fothergill, app. to 64th Foot.

83d Foot. Hosp. Assist. A. Callander to be Assist.-Surg., v. Macqueen, prom. in Ceylon Regt.

87th Foot. Ens. Hon. A. Harley, from 36th Foot, to be Lieut. by purch., v. Serjeant, who retires.

89th Foot. Lieut. J. H. Palmer, from h. p., 23d Lt. Dr., to be Lieut., v. S. G. Bagshaw, who exch.

97th Foot. Ens. E. Cheney to be Lieut. by purch., v. Prior, who retires; Lieut. W. Kelly, from 33d Foot, to be Capt. by purch., v. Forster, prom.; T. B. Hunt to be Ens. by purch., v. Cheney, prom.

Ceylon Regt. Assist.-Surgeon A. Macqueen, from 83d Foot, to be Surg., v.

*Armstrong*, prom. in 1st Foot; *Lieut. Lord W. F. Montagu*, from h. p. 90th Foot, to be 1st Lieut.

*Allowed to dispose of their half-pay.* *Capt. H. Goldicut*, 2d Ceylon Regt.; *Capt. E. Sterling*, 16th Foot; *Lieut. W. Place*, 45th Foot. *Ens. J. Dillon*, 47th Foot; *Capt. W. B. Fairman*, 4th Ceylon regt.; *Capt. J. Dyas*, 2d Ceylon regt.; *Capt. J. P. Milbanke*, 47th Foot.

UNATTACHED.

*Major W. W. Higgins*, from 13th Light Drag., to be *Lieut.-Col. of Inf.* by purch., *v. Stauser*, who retires; *Lieut. C. A. Campbell*, from 31st Foot, to be *Capt. of Inf.* by purch.; *Lieut. W. C. Langmead*, 44th Foot, to be do.; *Lieut. G. Ruxton*, 31st do., to be do.

**BIRTHS, MARRIAGES, AND DEATHS.**

CALCUTTA.

*Births.*—Aug. 14. The lady of *Capt. Roberts*, of a daughter.—25. At Howrah, the lady of *W. Durham, Esq.*, of a son.—29. The lady of the *Rev. W. Adam*, of a daughter; the lady of *Capt. J. Eckford*, 6th N. I., of a son.—30. The lady of *Capt. W. Cunningham*, of a son.—Sept. 2. The lady of *W. S. Steven, Esq.*, Civil Surg., of a son.—14. The lady of the *Hon. C. R. Lindsay, C.S.*, of a daughter.—15. The lady of *Capt. E. C. Sneyd*, of a daughter.—19. The lady of *W. Prinsep, Esq.*, of a son.—20. The lady of *W. E. Burne, Esq.*, C. S., of a son.—23. At the Mint, the lady of *D. Ross, Esq.*, of a son.—28. The lady of *J. D. D. Dombal, Esq.*, of a daughter.—29. At the Calcutta Academy, *Mrs. F. Linstedt*, of a son.—Oct. 4. The lady of *Lieut.-Col. G. H. Gall*, of a son.—8. The lady of *Capt. R. C. Faithful, Maj. of Brig.*, of a daughter.

*Marriages.*—Sept. 5. At St. John's Cathedral, *Mr. T. Wood*, Assistant in the Military Department, to *Jane Elizabeth*, youngest daughter of *Dr. L. Burlini*.—12. At St. John's Cathedral, *T. Bird, Esq.*, to *Miss Jane Glass*.—Oct. 8. *W. Limane, Esq.*, to *Janette Ann*, daughter of the late *J. Gilmore, Esq.*—21. *R. Bell, Esq.*, of Ramnagar, to *Miss Adolphina*, third daughter of the late *N. Rabeholm, Esq.*, of his Danish Majesty's C. S.; *W. S. Boyd, Esq.*, to *Margaret*, daughter of the late *A. McKean, Esq.*, of London.

*Deaths.*—Sept. 8. *Miss Emma Begbie*, aged 19; *Lieut.-Col. N. Bucke*, 20th regt. N. I., commanding 1st L. I., Arracan, aged 45; *H. C. Darwall, Esq.*, attorney at law, aged 30.—15. At Dum Dum, the infant son of *Capt. C. Graham*, *Ben. H. Artill*.—17. *R. Meiselbach, Esq.*—18. *Master F. L. Meiselbach*, aged 16.—19. At Allipore, *H. McKenzie*, infant daughter of *John Moore, Esq.*—23. *C. J. Fox, Esq.*, aged 34.—24. *W. Trower, Esq.*, C. S.—25. *Capt. J. L. Garrick*, of the ship *Hero of Malown*.—25. On board the *Lady Campbell*, *Mr. E. Slatterthwaite*, Midshipman, aged 17.—26. *Joseph*, the son of *A. G. Paterson, Esq.*, aged 6.—28. *Nowrojee Serabjee*, a man universally lamented. He was a Parsee merchant, and one of the first of his nation that settled in Calcutta.—Oct. 5. At Garden Reach, *Lieut. J. Green*, of the Artill.; *Capt. P. Dudgeon*, 14th N. I., aged 36.—9. *J. G. Albrecht, Esq.*, aged 27.—10. At the house of *Capt. Probyn*, *Mr. P. Drayer*, Midship. *H. C. ship Minerva*, aged 19.—11. *Mrs. L. Bagshaw*, the lady *J. Bagshaw, Esq.*, aged 26.—20. The infant daughter of *H. W. Money, Esq.*—23. *Rev. J. Lawson*, Pastor of the Baptist Church, aged 38.

MADRAS.

*Marriage.*—Sept. 22. *Mr. H. Macaulay* to *Miss V. Conen*.

*Deaths.*—Sept. 6. On board the *Boyne*, *A. S. Ponton, Esq.*—22. *Rosa Anne*, infant daughter of *Lieut. W. Cotton*, 10th Madras N.I.—Oct. 2. *W. Peacock, Esq.*, Dep. Sheriff of Madras.—10. *Ens. J. Ford*, H. M. 69th regt.

BOMBAY.

*Births.*—Aug. 20. The lady of *W. C. Bruce, Esq.*, C. S., of a son.—Nov. 4. The lady of *Lieut. G. W. Blachey*, 14th N. I., of a son.

*Marriages.*—Sept. 22. *Lieut. R. Lewis*, H. M.'s L. Drags, to *Sarah*, fourth daughter of the late *Capt. Cotgrave, R.N.*—Oct. 20. *J. Williams, Esq.*, Resident at Baroda, to *Miss Mary Evans*.



**Deaths.**—Sept. 1. G. A. Bax, Esq., aged 24.—Oct. 18. The Rev. E. Frost, American Missionary.

#### OUT STATIONS.

**Births.**—July 19. At Singapore, the lady of A. Farquhar, Esq., of a son.—24. At Ahmedabad, the lady of W. A. Jones, Esq., C.S., of a daughter.—Aug. 10. At Singapore, the lady of D. S. Napier, Esq., of a daughter.—12. At Poonah, the lady of Capt. Bolton, H.M. 20th regt., of a daughter.—10. At Gorruckpore, the lady of Major E. Simons, 9th Extra N. I., of a daughter.—19. At Girgaum, the lady of W. G. Bird, C. S., of a son.—27. At Sultanpore, Benares, the lady of Lieut. and Adj. W. Alexander, 5th regt. L. C. of a son.—Sept. 1. At Meerut, the lady of Capt. W. P. Cooke, Dep. Judge Adv. Gen., of a son.—4. At Saugor, the lady of Lieut. Weston, Dep. Judge Adv. Gen., of a son.—6. At Hurnee, the lady of the Rev. J. Stevenson, of a daughter.—8. At Colombo, the lady of Capt. Duvernet, of a son.—9. At Delhi, the lady of Capt. Mathison, Commis. of Ordnance, of a son.—11. At Kamptee, the lady of W. P. McDonald, Esq., 41st N.I., of a son; at Tanjore, the lady of Capt. Tweedle, of a son; at Ghazee-poor, the lady of Capt. Orchard, Europ. Regt., of a son.—13. At Muttra, the lady of J. O. Beckett, Esq., of a daughter.—15. At Trivandram, the lady of Capt. Lethbridge, of a daughter.—20. At Jessore, the lady of R. B. Francis, Esq., of a daughter.—21. At Ghazee-pore, the lady of J. Hunter, C. S., of a son.—22. At Cochin, the lady of M. Sargon, Esq., of a daughter.—24. At Mangalore, the lady of Lieut. C. P. Rose, 50th N. I., of a daughter.—Oct. 2. At Chowringhee, the lady of C. Mowerson, Esq., C. S., of a son; at Cawnpore, the lady of Lieut. Cureton, H. M. 16th Lancers, of a daughter.—3. At Dinapore, the lady of Lieut. E. Wintle, of a son.—5. At Negapatam, the lady of J. C. Vanspall, Esq., late Civil Servant of his Netherlands Majesty, of a son.—6. At Cossipore, the lady of Capt. C. Cowles, H. C. S., of a daughter.—8. At Cawnpore, the lady of the Rev. T. J. Torriano, District Chaplain, of a daughter.—13. At Allipoor, the lady of Lieut. Hickey, of a son.—22. At Baroda, the lady of Capt. W. R. Lester, Commis. of Stores, of a son.

**At Sea.**—Aug. 6. On board the *General Kyd*, the lady of S. Paxton, Esq., C. S., of a daughter.

**Marriages.**—July 5. At New Norfolk, Van Diemen's Land, Lieut.-Col. S. H. Tod, Bengal Estab., to Mary, youngest daughter of the late Capt. E. Macdonald.—Sept. 7. At Chandernagore, B. Hartly, Esq., indigo planter, to Miss L. C. Gentlehomme.—12. At Agra, Lieut.-Col. J. Delamain, to Miss H. M. Norris.—30. At Tranquebar, Lieut. W. P. Burton, 27th N.I., to Miss M. H. Lutter, daughter of the late Major Lutter, of the Danish service.

**Deaths.**—July 31. At Prome, F. C. Minchall, Esq., H. C. Flotilla Service.—Aug. 9. At Arracan, on board the *Indiana*, Hospital Ship, Capt. Howell, 16th M. N.I.—18. At Arracan, J. W. Boyd, Assist.-Surg. H. C. S.—11. At Saugor, W. Douglas, infant son of A. Garden, Esq., Med. Estab.—22. At Lucknow, Pelegrine Treves, Esq., C. S.; at Arracan, Mr. J. Wood, late chief officer of the schooner *Marianna*; at Dacca, J. G. Railey, Esq., indigo planter.—23. At Mandavie, in Cutch, Major A. C. H. Lamy, commanding 16th N.I.—30. At Pennag, Capt. H. Davidson, 30th Bengal N.I.—Sept. 2. At Doonab, in the Fort of Belgaum, Capt. C. Warre, of the Artill.—3. At Mahidpore, the lady of Capt. W. Bell, Bengal Artill.—6. At Dacca, Mrs. Bowman, wife of Mr. C. Bowman, Dep. Commis. of Ord., aged 47; at Deenajpore, N. Macleod, Acting Judge of Circuit.—8. At Arracan, Superin. Surg. W. L. Graut.—11. At Soanpett, on his route to Nagpore, Capt. J. Roy, 2d European reg.; at Arracan, Lieut. F. Considine, H.M.'s 54th reg.—12. At Rangoon, Capt. W. Dolge, of the ship *Shah-oal-Ahmed*; at Dacca, the infant son of J. Drew, Esq., C. S.—14. At Mirzapore, R. Hastings, son of J. N. M. Macnabb, C. S.—16. At Dinapore, Lieut. H. P. Ridge, Adjutant 39th N.I.—18. On board the *Royal George*, in Penang Roads, J. Trotter, Esq. jun., Bengal C. S., aged 25.—21. At Belundshur, Powell Holt, eldest son of Capt. H. White, 2d Ex. Light Cav.—22. At Bellary, George, infant son of Lieut. J. Metcalf, Fort Adjutant at that station.—27. At Bhaugulpore, Lieut.-Col. J. Swinton.—28. At Midnapore, Capt. H. Whinfield, 39th N.I.—29. At Moorshedabad, S. Marshall, Esq., son of the late Lieut.-Gen. Sir R. Marshall, K.C.B.—30. At Chittagoug, the Rev. Dr. J. Vincent.—Oct. 3. At Cawnpore, Miss Lydia D. Norris, eldest

daughter of the late Lieut.-Col. J. Norris, Madras Engineers.—12. At Penang, J.-R. Cuppage, Esq., C. S., aged 22, son of Major-Gen. Cuppage, Royal Artill.—23. At Arcot, J. Stephenson, Esq., Superin. of the Vet. Estab.

*At Sea*.—On board the *Waterloo*, on her passage to China, G. S. Jackson, son of J. Jackson, Esq.—Aug. 5. On board the *Lord Amherst*, J. W. Carroll, Esq. M. D.—Sept. 2. On board the *Hydery*, Capt. B. Wooly, 29th N. I.—Oct. 1. On board the *Woodford*, the lady of the Rev. E. Ray, returning to India.—On his passage to England, Lieut. Woulds, 56th Foot.—In Dec. last, off St. Helena, on board the *Liffey*, R. Kingsford, Midshipman, aged 27.

## EUROPE.

*Births*.—Feb. 17. The lady of Lieut.-Col. B. Elphinstone, of a daughter.—24. The lady of Capt. Basil Hall, R. N., of a daughter.—25. The lady of Lieut.-Gen. Sir W. Inglis, K. C. B., of a son.

*Marriages*.—Feb. 7. At Paisley, T. Dykes, Esq., of Calcutta, to Marion, daughter of T. Leishman, Esq.—10. At Edinburgh, A. Kedslie, Esq., Surg. H. C. S., to Margaret, eldest daughter of the late A. Fyfe, Esq., Lecturer on Anatomy.—18. At Carmarthen, D. Prytherch, Esq., to C. G. Catherine, youngest daughter of the late J. Dalton, Esq., of the Hon. E. I. Co.'s Med. Service, Madras.—27. Lieut. A. A. Williamson, H. E. I. C. Mil. Service, to J. E. Rosalia, only daughter of the late A. Mearns, Esq., 3d Regt. of Guards.—March 2. Lieut. Col. F. Phillips, (late of the 15th Huzzars,) to Margaret, 3d daughter of J. Pallister, Esq., of Derryluskan, Tipperary.—14. At Dublin, J. Radcliffe, Esq., to Miss H. Wall, niece of the late Gen. Conyngham, Hon. E. I. Co.'s Service.—21. Capt. A. M. F. Grove, 13th Light Dragoons, to Frances Selina, eldest daughter of F. Gregory, Esq., of Stivichall, Coventry. Lately, at Reading, W. Rowland, Esq., Bombay Med. Estab., to Sarah, youngest daughter of the late J. Taylor, Esq.

*Deaths*.—March 4. At St. Roques, M<sup>r</sup> Millan Jameson, M. D., late Surg.-Gen. Royal Artill., aged 69.—5. At Douglas, Gen. Stapleton, son of the late Sir T. Stapleton of Grey's Court, Oxfordshire.—6. At Brighton, W. Roe, Esq., late Chairman of the Board of Customs. At his seat, Redgrave-hall, Suffolk. G. Wilson, Esq., Admiral of the Red.—16. Lieut.-Col. C. Tyron, late of the 88th Regt., aged 42.—Lately, at London, H. Smith, Esq., twenty-nine years Solicitor to the East India Comp., and clerk to the Drapers' Hall Comp.—Major Perkins Major, formerly his Majesty's Consul at Tunis, and Equerry to the Duke of Sussex, aged 80. Captain J. Lindsey, brother to the late Earl of Balcarras. Col. W. Bulkeley, aged 62. At Kempsey, near Worcester, Lieut.-Col. Little, E. I. Co.'s Service. At Rome, Lieut. W. Fraser, H. M.'s 44th Regt. At Cheltenham, Major Corfield, formerly Dep. Mil. Aud.-Gen. in Bengal.

## COMMERCIAL INTELLIGENCE.

## CALCUTTA.—OCTOBER 19, 1825.

## Government Securities, &amp;c.

Buy.]	Rs.	As.		Rs.	As.	[Sell.
Premium 27	8		Remittable Loan 6 per cent.	26	8	Premium
Discount 0	6	4	per Cent. Loan . . . . .	0	10	Discount
Ditto 0	6	5	per Cent. Loan . . . . .	0	12	Ditto.

## BANK OF BENGAL RATES.

Discount on Private Bills . . . . .	6	0	per cent.
Do. of Government Ditto . . . . .	5	0	
Interest on Loans on Deposit of Company's Paper for 2 months fixed . . . . .	6	0	

## RATES OF EXCHANGE.

On London, 6 months sight, 2s. 1d. per S. R.	
Madras, 30 days 92 a 96 S. R. per 100 Madras Rupees.	
Bombay, Ditto 98 . . . S. R. per 100 Bombay ditto.	
Bank Shares—Premium 4800 to 5000.	

## SHIPPING INTELLIGENCE.

## ARRIVALS FROM EASTERN PORTS.

<i>Date.</i> 1826.	<i>Port of Arrival.</i>	<i>Ship's Name.</i>	<i>Commander.</i>	<i>Place of Depart.</i>	<i>Date.</i> 1825.
Feb. 25	Downs ..	London ..	Phillips ..	Singapore	Sept. 13
Feb. 27	Downs ..	Lady Kennaway	Sarfen ..	Bombay ..	Nov. 6
Feb. 27	At Cowes ..	Richd. Rimmer	Nichol ..	Singapore	Aug. 23
Feb. 27	Off Dover ..	Indian ..	Sharman ..	Calcutta ..	Sept. 22
Feb. 28	Off Liverpool	Calcutta ..	Streyan ..	Bombay ..	Oct. —
Mar. 1	Off Isle of Wight	Jane ..	Taylor ..	Singapore	Aug. 23
Mar. 2	Downs ..	Magnet ..	Tweld ..	Bombay ..	Oct. 21
Mar. 3	At Cowes ..	Catherine ..	Endicot ..	Batavia ..	Oct. 22
Mar. 16	Off Scilly ..	Madras ..	Payrer ..	Bengal ..	Nov. 5
Mar. 22	Portsmouth..	Ellen ..	Camper ..	Mauritius	Dec. 5

## ARRIVALS IN EASTERN PORTS.

<i>Date.</i> 1825.	<i>Port of Arrival.</i>	<i>Ship's Name.</i>	<i>Commander.</i>	<i>Port of Depart.</i>
Sept. 3	New S. Wales	Norfolk ..	Greig ..	London
Sept. 3	Bombay ..	James Sibbald ..	Forbes ..	London
Sept. 3	Bombay ..	Cambridge ..	Barber ..	London
Oct. 3	Bengal ..	Thomas Grenville	Manning ..	London
Oct. 3	Bengal ..	Marq. Wellington	Blanshard	London
Oct. 3	Bengal ..	Thalia ..	Biden ..	London
Oct. 3	Bengal ..	Woodford ..	Chapman	London
Oct. 4	Bengal ..	Childe Harold ..	West ..	London
Oct. 4	Bengal ..	Coldstream ..	Hall ..	London
Oct. 5	Bengal ..	Africa ..	Skelton ..	Ceylon & Lond.
Oct. 5	Anjer Roads	Roxburgh Castle	Denny ..	London
Oct. 6	Bengal ..	Elizabeth ..	Stephens ..	China
Oct. 6	Bengal ..	Malabar ..	Skitter ..	Singapore
Oct. 6	Bengal ..	Sultan ..	Mitchell ..	Madras
Oct. 10	Madras ..	H.M.S. Champion	—	Portsmouth
Oct. 13	Bengal ..	William Miles ..	Beadle ..	London
Oct. 13	Bengal ..	Mary ..	Jefferson ..	Liverpool
Oct. 16	Madras ..	Kingston ..	Bowen ..	London
Oct. 16	Bengal ..	Columbia ..	Chapman ..	Liverpool
Oct. 19	Bengal ..	Carn Brea Castle	Davey ..	London
Oct. 20	Bengal ..	Albion ..	Weller ..	London
Oct. 26	Bengal ..	John Taylor ..	Atkinson ..	Liverpool
Nov. 4	Bengal ..	Mary Ann ..	O'Brien ..	London
Nov. 17	Batavia ..	Eleanor ..	Tabor ..	Bengal
Dec. 28	Cape ..	Catherine ..	Mackintosh ..	London
Dec. 28	Cape ..	Fortitude ..	Barcham ..	London
Dec. 31	Cape ..	Lord Suffield ..	Dean ..	Bengal
1826.				
Jan. 14	St. Helena ..	Dorothy ..	Garnock ..	Bombay
Jan. 17	St. Helena ..	Larkins ..	Wilkinson ..	Bengal

## DEPARTURES FROM EUROPE.

<i>Date.</i> 1826.	<i>Port of Depart.</i>	<i>Ship's Name.</i>	<i>Commander.</i>	<i>Destination.</i>
Feb. 27	Bordeaux	Jean Pierre ..	Destarque ..	Madras
Mar. 4	Liverpool	Matilda ..	Bulley ..	Batavia & Singapore
Mar. 8	Deal	Britannia ..	Lamb ..	Cape
Mar. 8	Deal	Sir David Scott	Orr ..	Bengal and China
Mar. 8	Liverpool	North Briton ..	Richmond ..	Bengal
Mar. 9	Off Plymouth	George IV. ..	Barrow ..	Bengal and China
Mar. 10	Deal	Diadem ..	Colgrave ..	Bombay
Mar. 10	Deal	Thomas Coutts	Chrystie ..	Bombay and China

Date.	Port of Depart.	Ship's Name.	Commander.	Destination.
1826.				
Mar. 10	Deal	Castle Huntly	Drummond	.. Madras and China
Mar. 11	Deal	Marq. Huntly	Fraser	.. Madras and China
Mar. 13	Deal	Columbine	Tait	.. Bombay
Mar. 16	Off. of Wight	Euphrates	Meade	.. Madras and Bengal
Mar. 16	Plymouth	Sparrowhawk	Folkingthorne	Cape
Mar. 16	Plymouth	H.M.S. Hind	—	Madras
Mar. 17	Deal	Lady Melville	Clifford	.. Bengal and China
Mar. 19	Deal	Marq. Camden	Fox Gilson	.. St Helena & China
Mar. 21	Portsmouth	Duke of Bedford	Tween	.. Madras and Bengal.

## SHIPS SPOKEN WITH AT SEA.

Date.	Lat. and Long.	Ship's Name.	Commander.	P. of Depart.	Destination.
1825.					
Nov. 6		Lord Hastings, Talbot		.. London	.. Bengal
		Fifty miles South of reef buoy, Sandheads.			
Nov. 8	14 15 N.	60 E. Kingston	.. Bowen	.. Mad. & Lon.	Bengal
Nov. 16	2 30 N.	91 40 E. George Home Higgin	.. Patterson	.. London	.. Cape
Nov. 30	8 S.	29 W. Ellen	.. Patterson	.. London	.. Cape
1826.					
Jan. 12	2 N.	21 W. Perseverance	Best	.. London	.. Bengal
Jan. 23	5 37 N.	23 Indian	Shannon	.. Calcutta.	London
Jan. 23		Dorothy	.. Garnock	.. Bombay.	Liverpol
		Off Ascension Island.			
Feb. 2		38 30 Penelope	.. Christie	.. Mauritius	London
Feb. 3	5 S.	17 16 Atlas	.. Hunt	.. Mad. & Cey.	London

## GENERAL LIST OF PASSENGERS.

## PASSENGERS HOMEWARDS.

By the *Malcolm*, Eyles, from Madras:—Major Gen. R. Sewell; Mrs. Sewell; Miss and Master Sewell; Major John Leslie; Mrs. Leslie; Miss Leslie; Capt. R. Brunton; Capt. Jenour; Capt. John Smith; Lieut. Taylor; Mrs. Taylor; Lieut. Sherlock; C. Dickson; C. Stewart; James E. Muttebury; O. Hollawan; R. B. Frizill, and G. B. Rose; Ens. A. C. Anderson; John Coghlan, Esq., Asslt. Surg.; Mr. Shoolbraid.

By the *Indian*, from Calcutta: Mr. Ogilby, merchant; Lieut. Frederick, Bengal N. I.

By the *Lady Kennaway*, from Bombay:—Mrs. Peppir; Miss Peppir; Lieut. W. Kingstone, and J. R. Gloag.

By the *Atlas*, Hunt, from Madras and Ceylon, (daily expected):—Mr. Bruce, Hon. Co.'s Mil. Ser.; Capt. Moncrieff, Madras Artil.; Mr. Hooper, Hon. Co.'s C. S.; Lieut. Wilson, Royal Artil.; Lieut. White, 2d Ceylon Reg., died on his passage; Mrs. and Miss Hooper; Mrs., Miss, and Master Busche.

By the *Madras*, Fayrer, from Bengal:—His Excellency Sir Edw. Paget, Commander-in-Chief; Capt. Champagne, Mil. Sec. and Aid-de-camp; W. W. Hobhouse, Esq., merchant; Major Tovey, H. M. 31st Reg.; Major Swiney, Bengal Army; Mr. Freeman, do.; Mr. M'Ghie, H. M. 31st Reg.; Mr. Gladstone, Madras N. I.; Master G. E. O. Smith; Mrs. Twinning; Mrs. N. M'Leod; Mrs. D. Ware; Mrs. Troten; Mrs. Kelly.

By the *Coromandel*, Boyes, (expected):—Mrs. Barlow; Mr. Ashburner; Mrs. Ashburner; Miss Sherlock and children; Col. Vaughan; J. Mainwaring, Esq.; — Paris, Esq.; Basil Cochran, Esq.; Capt. Luke, 59th Reg.; Capt. Everist, Engineer; Lieut. Taylor and child; Lieut. Aubruther, 34th N. I.; Lieut. Roxburgh, Cav.; Ensign Elliot.

## PASSENGERS OUTWARD.

By the *Marquis of Huntley*, Capt. Fraser, for Madras and China:—Col. Sale; Mrs. Sale; Mr. Glass; Mrs. Glass; Rev. Mr. Spring; Mrs. Spring; Lieut. Smith; Mrs. Smith; Major Walpole; Dr. Mack; Ensigns Pigott and Coke, 45th Reg.; Lieuts. Mahon Jones, and Davis, 46th Reg.; Lieut. Moore, 45th Reg.; Ass. Surg. Bush; Messrs. Hure, M'Donald, West, Pollock, Willms, Wilmot, M'Donald, Ferriers, Madan, Durant, Piggott, Wright, Pegson, Balfour, Davis, and Fortescue, Cadets.

## HORRORS OF THE SEA.

Two following authentic narrative of human suffering, by exposure to shipwreck, is so full of terrific admonition to all those concerned in the outfit and management of ships, that we record it here, in the hope of its impressing all who read it with the importance of making every possible provision for security against similar horrors.—Narrative of occurrences on board the *Frances and Mary*, 398 tons, John Kendall, master, from St. John's, New Brunswick, bound to Liverpool:—

"Sailed from St. John's Jan. 18, 1826.—Feb. 1. Strong gales from the W.N.W.; carried away the main-top-mast and mizen-mast head; hove to; got boats' sails in the main rigging, to keep the ship to the wind. At eleven, P. M., shipped a heavy sea, which washed away the cabouse, jolly-boat, and disabled five men.—Feb. 2. Cleared away the wreck, and made sail before the wind; strong breezes.—Feb. 3, eleven, A. M. Strong gales, with a heavy sea; clewed the sails up and hove to—head to the southward; shipped a sea, which carried away the long-boat, companion, tiller, unshipped the rudder, the best bower-chain, and washed a man overboard, who was afterwards saved. At 11. 10, another heavy sea struck us, which stove our stern in. Cut away our foremast, and both bower anchors, to keep the ship to the wind; employed in getting what provisions we could—by knocking the bow port out, saved fifty pounds of bread and five pounds of cheese, which we stowed in the main-top; got the master's wife and female passenger up, whilst we were clearing away below, lightening the ship; most of the people slept in the top; at day-light found Patrick Cooney hanging by his legs from the cat-harpins, dead from fatigue; committed his body to the deep.—Feb. 5, eight A. M. Saw a strange sail standing towards us; made signal of distress—stranger spoke us, and remained in company twenty-four hours, but received no assistance, the American making an excuse that the sea was running too high. Made a tent of spare canvass on the forecastle, and put the people on a short allowance of a quarter of a biscuit a day.—Feb. 8. Saw a brig to leeward; strong gales.—Feb. 9, ten A. M. Observed the same vessel to windward—made the signal of distress; stranger bore up and showed American colours.—Feb. 10. He spoke us, asking how long we had been in that situation, and what we intended to do—if we intended leaving the ship? Answered, yes. He then asked if we had any rigging? Answered, yes. Night coming on, and blowing hard, saw no more of the stranger. Suffered much from hunger and thirst. On about Feb. 11, saw a large ship to the Northward; did not speak her; wore head to the Northward. At this time all our provisions were out; suffered much from hunger, having received no nourishment for nine days.—Feb. 21. Departed this life, James Clarke, seaman; read prayers, and committed his body to the deep. We were at this time on half a gill of water a-day, and suffering much from hunger. During the whole period of being on the wreck, we were wet from top to toe.—Feb. 22. John Wilson, seaman, died at 10 A. M.; preserved the body of the deceased, cut him up in quarters, washed them overboard, and hung them on pins.—Feb. 23. J. Moore died, and was thrown overboard, having eaten part of him, such as the liver and heart. From this date to Saturday, the 5th of March, the following number perished from hunger: Henry Davis, a Welch boy, Alexander Kelly, seaman; John Jones, apprentice-boy, nephew of the owner; James Frier, cook; Daniel Jones, seaman; John Hutchinson, seaman; and John Jones, a boy. Threw the last-named overboard, his blood being bitter; also, James Frier, who was working his passage home under a promise of marriage to Ann Saunders, the female passenger, who attended on the master's wife; and who, when she heard of Frier's death, shrieked a loud yell, then snatching a cup from Clerk (mate), cut her late intended husband's throat, and drank his blood, insisting that she had the greatest right to it; a scuffle ensued, and the heroine (the words of the narrator) got the better of her adversary, and then allowed him to drink one cup to her two.—Feb. 26. On or about this day an English brig hove in sight—hoisted the ensign downward—stranger hauled his wind towards us, and hauled his foresail up when abreast of us, kept his course, about one mile distance, set his foresail, and we soon lost sight of him! fresh breeze, with a little rain—the sea quite smooth, but he went off, having shown English colours; had he at this time taken us off the wreck, much of the subsequent dreadful suffering would have been spared us.—March 7. His Majesty's ship *Blonde* came in sight, and to our relief, in lat. 44. 43. N., lon. 21. 57. W.—Words are quite inadequate to express our feelings as well as those which Lord Byron and our deliverers most evidently possessed, when they had found they had come to rescue six of their fellow-creatures (two of them females) from a most awful, lingering, but certain death. It came on to blow during the night a fresh gale, which would, no doubt, have swept us all overboard. Lieutenant Gambier came in the ship's cutter, to bring us from the wreck; he observed to us, 'You have yet, I perceive, fresh meat.' To which we were compelled to reply, 'No, Sir, it is part of a man, one of our unfortunate crew! It was our intention to put ourselves on an allowance, even of this food, this evening, had not you come to our relief.' The master's wife, who underwent all the most horrid sufferings which the human understanding can imagine, bore them much better than could possibly have been expected. She is now, although much emaciated, a respectable, good-looking woman, about twenty-five years of age, and the mother of a boy seven years of age. But, what must have been the extremity of want to which she was driven, when she ate the brains of one of the apprentices, saying it was the most delicious thing she ever tasted; and it was still more melancholy to relate, the person whose brains she thus was forced by hunger to eat, had been three times wrecked before, but was providentially picked up by a vessel, after being two-and-twenty days on the wreck, water-logged; but, in the present instance, he perished, having survived similar sufferings for a space of twenty-nine days, and then became fond for his remaining shipmates! Ann Saunders, the other female, had more strength in her calamity than most of the men; she performed the duty of cutting up and cleaning the dead bodies, keeping two knives in her monkey jacket; and when the breath was announced to have flown, she would sharpen her knives, bleed the deceased in the neck, drink his blood, and cut him up as usual. From want of water, those who perished drank their own urine and salt water: they became foolish, crawling upon their hands round the deck (when they could), and died generally raving mad."

# THE ORIENTAL HERALD.

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No. 29.—MAY 1826.—VOL. 9.

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A THEORETICAL AND PRACTICAL VIEW OF THE LAW OF LIBEL  
IN ENGLAND AND IN INDIA.

No. I.

## *Theoretical View of the Law of Libel in England.*

It will scarcely be denied that there never has been a time during which the public mind has been satisfied, and controversy intermitted, respecting the theory and practice of the law of libel. The partition of power between the jury and the bench has only been adjusted within less than forty years, after a struggle of upwards of a century; during which, doctrines now esteemed most repugnant to reason and humanity, were judicially maintained and enforced by the highest authorities. But the mode of originating the prosecution, appointing the jury, and establishing the rules of evidence, (circumstances which involve, practically, a comprehension within the widest, or a circumscription within the narrowest, limits of the acts which may be described and treated as crimes,) are to this day topics of unceasing debate; and no verdict or judgment is received with tolerable unanimity as to its justness or equity. In every case of acquittal there are thousands who would have voted for conviction; and in every case of conviction, there may be even more who would have voted for acquittal. Such a state of things implies the continual prevalence of chance or partiality, or both; and the impossibility of discriminating between what will eventually be tolerated, and what will not, as well as of appreciating the quantum of evil effected by the libel, whether directed against individuals, communities, or institutions, robs punishment of all its efficacy, whether as corrective of the offender, or admonitory to others.

If these consequences necessarily result from the application of temporal penalties to errors of opinion, and those vices of the heart which display themselves in mere words, whether printed, written, or spoken, and whether characterized as treasonable, blasphemous, seditious, slanderous, or scandalous, the remedy will appear to be to consider this class of offences, like other immoralities which do not

occasion bodily or pecuniary damage, as exclusively the objects of spiritual or intellectual censures, which experience has proved to be the only weapons of whose wounds they are susceptible. Moral methods, like chemical tests, detect and separate the deleterious matter, which eludes and defies the grasp of all rude mechanical applications.

In support of this proposition, we may consider, first, the difficulty of ascertaining and estimating the mischief produced by libels, because it is acknowledged that malignity, which does not exert itself extrinsically, is not an object of human punishment. This is most strikingly evinced by the contrast between the epithets which are constantly lavished on the ephemeral productions of the press, and the effects to which such productions can be referred as their indisputable causes. Day after day, and year after year, from century to century, we are told that libellers are scattering firebrands, arrows and death; that their despotism is intolerable, exercising a power which it is not only impossible for human ingenuity to resist, but which acts with all the secrecy of a Venetian tribunal, and at the same time *strikes* with all the certainty of the Holy Inquisition; that their principles are destructive of the institutions of the country, and that no punishment is so appropriate as to oblige them to abjure the realm, whose peace and happiness they invade and endanger.<sup>1</sup> Still the country proceeds in her career of improvement, leaving behind her those temporary and almost momentary distresses which spring from revulsions in trade, and having had in truth no dangers to encounter but those encroachments on the constitution to which weak and corrupt ministers are so prone to resort on every little increase of popular agitation. No libellers are banished; a few are imprisoned, but not silenced; and yet the institutions of the country have suffered no detriment, but the reverse; useful reforms have taken place; and those victims who were described as having been struck down by so many irresistible and invisible shafts, are in the enjoyment of the best health, and highest prosperity. This is the circle which we beat in endless succession. The cry of danger from the license of the press is perpetually renewed, in spite of innumerable demonstrations that abuses in the laws, or their administration, are the only sources of real danger, and that those abuses cannot be exposed without unlimited freedom of discussion; in the course of which truth and candour have invariably triumphed, and will ever triumph, over the utmost perversions of falsehood and malignity.

"If every dreamer of innovations," says Dr. Johnson,<sup>2</sup> "may propagate his projects, there can be no settlement; if every murmurer at Government may diffuse discontent, there can be no peace; and if every sceptic in theology may teach his follies, there can be no religion." Such was Dr. Johnson's estimate of the mischief of libelling, with the toleration of which he thought peace and religion could not

<sup>1</sup> Speeches of Mr. Canning, Dec. 22 and 23, 1819.

<sup>2</sup> Life of Milton. See Starkie on the Law of Libel, p. 3.

co-exist, though he lived in a country celebrated for the wisdom of its institutions, its patriotism, and its regard for religion, while the press teemed with the projects of innovators, the complaints of murmurers, and the follies of sceptics! "Punishment," he continues, "which may crush the author, promotes the book; and it seems not more reasonable to leave the right of printing unrestrained, because writers may be afterwards censured, than it would be to sleep with doors unbolted, because by our laws we may hang a thief." He considered censorship as affording the only security, though he acknowledges that under such a system, "power must always be the standard of truth," and every other expedient, however rigorous, as an aggravation of the evil, by increasing the circulation of the libel. He justly states the dilemma to be between censorship and unqualified toleration; but he errs grievously in choosing the former alternative instead of the latter. He also begs the question by assuming that the dreamer *propagates* his innovations, that the murmurer *diffuses* his discontent, and that the sceptic *teaches* his follies; whereas each can do no more than *publish* his sentiments, thereby submitting them to the criticism, censure, and refutation, not merely of *other* dreamers, murmurers, and sceptics, but of the infinite majority of the sober-minded, of the loyal, the peaceable, and the religious.

The farther back we carry our reference to the opinions of our ancestors, as to the extent of mischief produced by libelling, the more extravagantly shall we find it stated; and the more shall we be encouraged to hope that, if not for this, it is certainly reserved for some succeeding generation to purge the statute-book of the title *libel*, as those of witchcraft and heresy have already been expunged.<sup>3</sup> Thus when Lord Stair says, "Vaninus deitatem non aperte negavit, sed, &c., et justissime in inclita urbe Tholosa damnatus est et crematus;"<sup>4</sup> and when Bishop Hall, in his flaming 'Treatise on Moderation,' says,<sup>5</sup> "Calvin did well approve himself to God's church, in bringing Servetus to the stake at Geneva," they discover not merely the intensity of their disapprobation of the impiety imputed to Vaninus and Servetus, which might be allowable or meritorious, but their belief that the public mischief resulting from the publication of erroneous theology, was so great as to justify the infliction of capital punishment for its repression. A more striking illustration is afforded by the following extract from Jeremy Taylor's 'Liberty of Prophecy,' section 13: "He that teaches others to sin is worse than he that commits the crime, whether he be tempted by his own interest, or encouraged by the other's doctrine. It was as bad in Basilides to teach it to be lawful to renounce faith and religion, and take all manner of oaths and covenants in time of persecution, as if himself had done so. Nay, it is as much worse as the mischief is more uni-

<sup>3</sup> "In the code of a free people it would be no surprise if the title of libel were not to be found. A well-meant censure would be merit, a malicious one would be insignificance."—*An Essay on the Law of Libels*; 1805, p. 6.

<sup>4</sup> Dugald Stewart's Diss. prefixed to *Sup. Ency. Britt.* p. 11.

<sup>5</sup> History of Persecution, by Anthony Robinson.



versal, or as a fountain is greater than a drop of water taken from it. He that writes treason in a book, or preaches sedition in a pulpit, and persuades it to the people, is the greatest traitor and incendiary, and his opinion there is the fountain of a sin, and therefore could not be entertained in his own understanding upon weakness or inculpable or innocent prejudice; he cannot from scripture or divine revelation have any pretence to colour that so fairly as to seduce either a wise or an honest man. If it rest there, and goes no farther, it is not cognoscible, and so escapes that way; but if it be published, and comes *a stylo ad machæram*, (as Tertullian's phrase is,) then it becomes a matter of fact in principle and in persuasion, and is just so punishable as is the crime that it persuades. Such are they of whom St. Paul complains, who brought in 'damnable doctrines and facts.' St. Paul's *utinam abscondantur* is just of them, take it in any sense of rigour or severity, so it be proportionable to the crime or criminal doctrine."

It does not clearly appear how Dr. Taylor read the text of St. Paul referred to, (Gal. v. 12,) but a right understanding of that and other parts of the New Testament would have shown him the unlawfulness of literally "cutting off" those whom St. Paul directed to be excommunicated until they repented, without the addition of any temporal penalty whatever. He would have found no warrant in the latest revelation of the divine will for the atrocity of punishing in the same degree him who commits a crime, and him whose doctrines are supposed to have tended to its instigation; nothing to justify the use of daggers against those who only *speak* daggers, according to the apprehension of some, but whose meaning, according to the interpretation of others, may be very different. As the conjunction of carnal weapons blunts the efficacy of spiritual censures, so the dignity of criminal justice requires that the former should be reserved for the purpose of animadverting on those attacks on life and property which all moral safeguards had failed to restrain.

According to Dr. Taylor, he who writes seditious or treasonable doctrines is more criminal than he who *acts* treason or sedition; and there are too many instances of the actual infliction of capital punishment on the authors of what were judged to be treasonable opinions. "In the early times of our history," says Mr. Holt, "such libels would have been considered as nearly approaching to treason, as will be shown in the next chapter. We have a proof of this, in the case of Williams, a barrister, who was indicted, convicted, and executed for high treason, in writing a seditious book, in the 17th James I." In those times, "our courts of justice considered all abuse and invective against the king and his great officers; all slander which interfered with the government of the nation; and all libels which reflected upon the conduct and management of state affairs, as *little short of* treason, and concerted designs for the subversion of the Government itself. It is no wonder, therefore, if in those times we should find such words and writings charged as *acts of* treason, which in our age of improved learning, and mildness in the administration of law, pass only for libels,—the overflowings of seditious gall, and the resent-

ments of disorderly and petulant spirits.”<sup>6</sup> It was incorrect in Mr. Holt to say that in former times lawyers considered libels, even though unpublished, as “nearly approaching to,” and “little short of,” treason, for I doubt whether *that* phraseology be yet obsolete; and in both places, in the very next sentence, he shows that they charged them as overt acts *nothing short of* treason. Nor is it a very accurate description of the case of Williams, to say that he was executed for writing a *sedition* book. He was tried May 3, 1619, for writing two fanatical rhapsodies, entitled, ‘Balaam’s Ass,’ and ‘Speculum Regale,’ “in both of which he had presumed to prophecy that the king would die in 1621, grounding the prediction on the prophecy of Daniel, where the Prophet speaks of *times and times and half a time*. He further affirmed, that Antichrist will be revealed when sin shall be at the highest, &c. His defence was, first, that what he had written was not with any malice or disloyalty, but by way of affectionate caution and admonition; secondly, that the matter rested only in opinion and thought; thirdly, that he had enclosed his book in a box, sealed up, and secretly conveyed it to the king, without ever publishing it. But the court was unanimously of opinion, that he was guilty of high treason, and that the words contained in the libel, as cited above, imported the end and destruction of the king and his realm, and that Antichristianism and false religion were maintained in the said realm; which was a motive to the people to commit treasons, to raise rebellions, &c., and that the writing of the book was a publication.”<sup>7</sup>

In the same reign, one Peacham was put to the torture, and found guilty of high-treason, for having inserted treasonable passages in a sermon never preached nor published. In a letter to the King on Peacham’s case, Bacon says: “There be four means or manners whereby the death of the king is compassed and imagined. The first, by some particular fact or plot. The second, by disabling his title; as by affirming that he is not lawful king; or that another ought to be king; or that he is a usurper, or a bastard, or the like. The third, by subjecting his title to the Pope, and thereby making him of an absolute king a conditional king. The fourth, by disabling his regiment, and making him appear incapable or indigne to reign. Then I placed Peacham’s treason within the *last* division, agreeable to divers precedents, whereof I had the records ready; and concluded that your Majesty’s safety and life and authority was thus by law insconced and quartered; and that it was in vain to fortify on three of the sides, and so leave you open on the fourth.”<sup>8</sup> With these opinions he could not, in his ‘History of Henry VII.,’ condemn the judgment of high-treason passed on Sir William Stanley, Lord Chamberlain, for saying, in a private conversation with Sir Robert Clifford, “that if he were sure that Perkin Warbeck were King Edward’s son, he would never bear arms against him”; which was

<sup>6</sup> Holt’s Law of Libel, p. 97, 102.

<sup>7</sup> Bacon’s Works, III. 476.

<sup>8</sup> Ibid, III. 264.

"little more than saying, in effect, that the title of York was better than the title of Lancaster, which was the case almost of every man, at the least in opinion." But the Judges "thought it was a dangerous thing to admit *ifs* and *ands* to qualify words of treason, whereby every man might express his malice and blanch his danger." In his charge against Mr. Whitelocke, who was prosecuted in the Star-Chamber for a legal opinion given to a client, Bacon says: "If a jesuited papist should come and ask counsel, (I put a case not altogether feigned,) whether all the acts of parliament made in the time of Queen Elizabeth and King James, are void or no? because there are no lawful bishops sitting in the Uppper House, and a parliament must consist of Lords spiritual and temporal, and Commons, and a lawyer will set it under his hand that they are all void, I will touch him for *high-treason* upon this his counsel."<sup>9</sup> In 1590, John Udall was tried for felony, in publishing, anonymously, 'A Demonstration of Discipline,' sentenced to death, and died in prison. In 1693, W. Anderson, printer, was convicted of high-treason, and executed, for printing and publishing two scandalous, malicious, and traitorous libels: the first entitled, 'Remarks upon the present Confederacy and late Revolution in England;' the second, 'A French Conquest neither desirable nor practicable.' In 1720, John Mathews, printer, aged nineteen, was convicted of high-treason, and executed, for printing a libel, entitled, 'Ex ore tuo te judicio, Vox Populi, Vox Dei.' Perhaps that was the last execution for mere words.

In the reign of Queen Anne, a Tory preacher was considered worthy the honour of an impeachment; a proceeding which not a little contributed to expel the Whig ministry, to arrest the career of Marlborough, and prevent the capture of Paris! The speeches of the managers of the impeachment are able and moderate, with the exception of that of Serjeant Parker,<sup>10</sup> afterwards Chief Justice of the King's Bench, in which the following passage occurs: "My Lords, the burning a meeting-house, the burning all the meeting-houses, the laying the metropolis once more in ashes by the enemies of our constitution, is *nothing to the inflaming the nation*, and rendering the Queen and her administration odious to the people." In 1777, John Horne was tried for publishing a seditious libel; and the Attorney-General (Thurlow) said, "that *lying so near to high-treason, it was very difficult for his imagination and judgment to draw the line between them!* That must be his apology if he had mistaken the nature and quality of that crime." He also urged, in the strongest terms, the propriety of awarding the judgment of the pillory on Mr. Horne; alleging, that "Government could not exist unless the full punishment was inflicted, which *the most improved times had given to offences of much less denomination!*" In these two instances we find all the bigotry of the seventeenth century.

<sup>9</sup> Bacon's Works, III. 471.

<sup>10</sup> See Observations on his Charge to the Jury, in the trial of Dammaree, in Luder's 'Considerations on the Law of Treason.'

It would not now be endured, that an attorney-general should talk of the difficulty of discriminating between the misdemeanor of seditious libel and the crimes specified in the 25th Edw. III. ; and, perhaps, it may take as long a period to explode the offence of seditious libel, as it did to separate it from the crime of high-treason. In walking amidst the snares with which our path is now beset, life is no longer exposed to danger ; and the term of imprisonment has been reduced from the FIVE years, to which Lord George Gordon was sentenced, to the two years, which may be considered the maximum in the most aggravated cases ; that is, where the hostile feelings of party have been most embittered. Still, when we see that it depends wholly on the caprice of one man, or of a knot of men, to inflict imprisonment for two years, and a fine of a thousand pounds on whatever victim they may choose to select, for doing what thousands are doing with impunity, and which the accused himself had been permitted to do for years uncensured, we shall acknowledge the necessity of opposing an unqualified prohibition to making a court of justice, in respect to any publication whatever, an arena wherein political factions may torment their adversaries. So long as access is given to a place which offers a chance of gratifying offended pride and political antipathy, men will be found to resort to it.

In vain have attempts been made to protect the innocent, and limit the operations of power, by *defining* the circumstances which shall be held to constitute libel, since the moral sentiments excited by the infinite diversity of aspects which political and theological subjects present to different minds, cannot be controlled by definitions. Innumerable cases are of daily occurrence, respecting which no form of words in which the penal enactment could be expressed, would exclude a contrariety of interpretations, and consequently of opinions, as to whether the legal definition was satisfied or not. The most plausible experiment in this way has been made by the French law of libel, which requires that the defendant shall be charged with having instigated the commission of a *particular offence*. The advantages of this expedient are thus enumerated by the Duc de Broglie : “ Ainsi, par exemple, l'homme qui, sous l'empire de la loi du 9 Novembre, ou même, si on l'aime mieux, sous l'empire de la législation Anglaise, en supposant qu'on l'eut transportée en France, aurait été accusé d'avoir publié un libelle, un écrit seditieux, un écrit tendant à avilir le gouvernement, à affaiblir indirectement le respect qui lui est dû, et aurait vu le ministère et les juges, s'eriger en docteurs, je dirois presque en casuistes politiques, et rechercher péniblement si telle ou telle doctrine ne se trouvoit pas virtuellement et en substance dans telle ou telle phrase ; le même homme sous l'empire de la loi nouvelle devoit être accusé de complicité de sédition si la publication se lie immédiatement à une sédition effectuée, ou de tentation de sédition si la publication est restée sans effet ; car la provocation depourvue de toute suite a une analogie parfaite avec la tentation sur la quelle les jurés prononcent tous les jours sans aucune difficulté. Son crime sera d'avoir voulu renverser le gouvernement, ou seulement d'avoir

voulu arrêter dans son exercice l'autorité légale. La tentation résidera dans le fait de la publication, et son écrit sera alors donné en preuve contre lui; il servira de pièce de conviction absolument comme dans un complot concerté d'intelligence avec l'ennemie, une correspondance saisie sert à incriminer une ou plusieurs actions en elles mêmes parfaitement indifférentes. *Les deux cas sont absolument analogues.* Dans l'un comme dans l'autre l'écrit doit être scruté et interprété en raison de son but et des ses circonstances. Dans l'une comme dans l'autre c'est l'intention qui est le véritable et l'unique siège du crime. Votre commission a reconnu qu'il y avoit du bonheur dans cette combinaison, de l'art à placer la provocation perpétuellement en regard d'un délit positif auquel le ministère public et le jury seront toujours obligé de la comparer; elle a reconnu que c'étoit une grande garantie pour la liberté de la presse, qu'un système dans lequel les doctrines, les pensées, les opinions sont laissées libres, *tant qu'elles ne sont que des doctrines, des pensées, des opinions,* et ne tombent sous la main de la loi qu'alors qu'imprégnée d'une volonté malfaisante, et employées à un but certain et incriminé d'avance, *elles deviennent de véritables actions.*"<sup>11</sup>

The solidity of this reasoning was so far acquiesced in by Sir James Mackintosh, that "though he believed the offence of seditious libel was indefinable, and that it was a futile labour to attempt the definition of an offence which depended upon circumstances, since words which might at one time be considered innocent, might, at another, be condemned as wicked and improper"; yet he was of opinion that "positive instigation to the commission of crime was easily defined. It was at least easy to describe it in such terms that a jury of common honesty might at once see whether a person brought before them as the instigator to crime, was innocent of such a charge or not."<sup>12</sup> Thus Sir James Mackintosh abandons, as indefinable, that most important class of libels termed seditious, which the Duc de Broglie and his reviewer had plumed themselves on rescuing from the arbitrary constructions of political casuists, and presenting in the tangible form of actions; and restricts the applicability of definition to libels instigating to other crimes, whose character, when perpetrated, could not be mistaken, such as assassination. Indeed, we shall be soon satisfied that the specious definitions of the French law crumble under the touch of examination. It is said that, instead of being charged with publishing a libel tending to bring Government into hatred and contempt, a defendant shall be indicted as *accessary* to sedition, where the publication has been directly connected with actual sedition, and as having *attempted* to commit sedition where the publication has been abortive. Now if the proof of connexion between the libel and the sedition is to depend, as it does by the hypothesis, on the motives and actions which the libel shall be construed to suggest and recommend, can a more vague inquiry, or one more open to the arbitrary influences of interest, pre-

<sup>11</sup> Edinburgh Review, No. 63, p. 200.

<sup>12</sup> Speech, 23d Dec. 1820.

judice, temper, and passion, be proposed? Shall a man who has published an intemperate or inflammatory declamation, be convicted as an accomplice in the seditious violence of persons whom he never saw, with whom he had no correspondence direct or indirect, of whose proceedings he had no knowledge before the fact, nor during the fact, and to whom he afforded no counsel, aid, comfort, or succour, at any time, up to the hour of his trial? Is the injustice of involving a man in the guilt of others, lessened by an affectation of precision which has no foundation in truth? In the French criminal code, art. 60, accessories are described to be "those who, by means of gifts, promises, threats, abuse of authority or power, conspiracy, or culpable artifice, shall excite others to the commission of a crime or offence, or have given instructions to commit the same; those who shall supply arms, instruments, &c.; those who shall knowingly aid or abet the perpetrator, &c." The author of a libel does not stand in any of these predicaments; but by a subsequent article, (102,) the libeller is subjected to the penalties of treason where that crime has followed his publication, (in the order of time,) and to banishment, where no such consequence has ensued. "Those who by their discourses in places of public meeting, by hand-bills posted up, or printed libels, shall excite, in a direct manner, the citizens or inhabitants to the commission of any of the crimes and conspiracies mentioned in the present section, shall be punished as principals therein: if, however, such provocations prove abortive, their authors shall only be banished." What shall be considered an *excitement*, and what the proof of its connexion as cause and effect with consequent conspiracy or rebellion, are still left as much as ever to the discretion and temper of the jury.

The Duc de Broglie represents the analogy between the author of a seditious libel, and one who has engaged in a criminal correspondence with a foreign enemy, as being complete; but it only becomes so after it has been adjudged by the political opponents of the libeller, that he and his party are *enemies* of their country. Otherwise, instead of analogy, there is a striking contrast in the most essential points. The traitor corresponds secretly with an individual foreign enemy; the libeller addresses himself openly to the mass of his countrymen. The purpose of the traitor is to overpower the national will; the object of the libeller can only be effected by conciliating general favour and approbation. The traitor sells his country for gold, or some more malignant impulse; the libeller is "a writer on passing politics; and there never was one of an ardent mind and warm feelings, who did not, at some time or other, fall into the offence of libel, and subject himself to the visitation of the law."<sup>13</sup> In short, the analogy is such as Serjeant Parker found between those enemies of the constitution, who, in the reign of Charles II., as he believed, had laid London in ashes, and Dr. Sacheverell, who *inflamed* the nation; though it is

<sup>13</sup> Speech of Sir James Mackintosh, Dec. 22, 1819.

well known that, in respect to metaphorical combustion, the *impeachment* was by a far more powerful agent than the sermon.

Suppose this style had been introduced in the days of Bacon, would he have felt any difficulty in charging Peacham, for his unpublished sermon, with *instigating* the assassination or deposition of the king, or in charging with similar *instigations* all who brought themselves within his four modes of compassing and imagining the death of the king? Nay, would Sir Vicary Gibbs have hesitated to apply the same technical language, if the law had adopted and prescribed it, to the following passage: "What a crowd of blessings rush upon one's mind, that might be bestowed upon the country in the event of a total change of system! Of all monarchs, indeed, since the Revolution, the successor of George III. will have the finest opportunity of becoming nobly popular."<sup>14</sup> It was urged that this libel pointed at, suggested, recommended, *instigated* the removal of George III., as the only means of obtaining those blessings which might be expected from his successor. And to illustrate the feelings which govern prosecutors in such cases, this regicide purpose was imputed to one who had *reprinted* the libel, while the author and original printer were never tried! It seems undeniable, then, that prosecutors would be subjected to no additional restraint, nor innocence gain any additional protection, from the adoption of the definitions used in the French criminal code.

Between the doctrines promulgated in the report of the Duc de Broglie, and those stated in the following passage from the Speech of Mr. Erskine, in defence of Paine, there is a considerable resemblance: "The proposition which I mean to maintain as the basis of the liberty of the press, and without which it is an empty sound, is this: that every man not intending to mislead, but seeking to enlighten others with what his own reason and conscience, however erroneously, have dictated to him as truth, may address himself to the universal reason of a whole nation, either upon the subjects of governments in general, or upon that of our own particular country; that he may analyze the principles of its constitution, point out its errors and defects, examine and publish its corruptions, warn his fellow-citizens against their serious consequences, and exert his whole faculties in pointing out the most advantageous changes in establishments which he considers to be radically defective, or sliding from their object by abuse. All this every subject of this country has a right to do, if he contemplates only what would be for its advantage, and but seeks to change the public mind by the conviction which flows from reasonings dictated by conscience. If, indeed, he writes *what he does not think*; if, contemplating the misery of others, he wickedly condemns what his own understanding approves; or even admitting his real disgust against the Government or its corruptions, if he *calumniates* living magistrates, or holds out to individuals that they have a right

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<sup>14</sup> Rex v. Lambert and Perry; 2 Campb. N. P.

to run before the public mind in their conduct; that they may oppose, by contumacy or force, what private reason only disapproves; that they may disobey the law, because their judgment condemns it; or resist the public will, because they honestly wish to change it;—he is then a criminal upon every principle of rational policy, as well as upon the immemorial precedents of English justice; because such a person seeks to disunite individuals from their duty to the whole, and excites to overt acts of *misconduct* in a part of the community, instead of endeavouring to change, by the impulse of reason, that universal assent which in every country constitutes the law for all.”

In the above passage, Lord Erskine declares his opinion of what the English law of libel then *was*, which appears to have coincided with what he thought it *ought to be*. And yet there is nothing in his proposition which the Attorney-General of that day, or of any day, needed to shrink from subscribing to. If the doctrine of Lord Erskine had been the undisputed written language of the law of England, the fate of his then client, and of all who have stood charged with similar crimes, would not have been different from what they actually were. How is it possible to “examine and publish the corruptions of the constitution, and warn his fellow-citizens against their ruinous consequences,” without doing that which may be construed and adjudged to be “calumniating living magistrates, and holding out to individuals that they have a right to run before the public mind in their conduct”? What are the ruinous corruptions of the constitution, but institutions, laws, and measures, which are upheld and pursued and justified by living magistrates, and sanctioned by the legislature? Such expositions of the liberty of the press are as illusory as the permission to cut a pound of flesh without a drop of blood. And as to the plea of the libel having been written *bona fide*, it is not susceptible of being substantiated or negatived; and has been more frequently held an aggravation than an alleviation of the guilt imputed to a defendant.

It may be observed, that neither in the above cited passage, nor in any other, has Lord Erskine ever deprecated the want of definitions as a defect in our libel law, which ought to be supplied. Yet a writer in the ‘*Edinburgh Review*,’<sup>15</sup> after premising, that “if a remedy against the evil of loose and vague charges of treason was a definition by statute of the crime; so the only remedy against the evils of loose and vague charges of libel, is a definition of libel by the legislature,” immediately adds, that he is “extremely happy to be supported in the view he has taken of the importance of *such an amendment* of our libel law by so high an authority as Lord Erskine;” and then proceeds to quote a portion of his Lordship’s speech on the 4th of March 1811, which does not contain the faintest suggestion, direct or implied, in favour of enacting definitions of libel! In a subsequent Number (53, p. 108) it is admitted, that “the nature of things precludes all minute definition; and a general description is

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<sup>15</sup> No. XXXV. p. 107.



*useless for the end in view.*" In a still later Number, (63, p. 196,) "the absurdity of asking for a law of libel analogous to the law of treason" is again adverted to; but as the authority of Lord Erskine before had been gratuitously claimed in support of such a proposition, so on this occasion the "authority and excellent reasoning" of the Duc de Broglie are as gratuitously adduced in its condemnation. The passage quoted from the French 'Report' only insists, and with somewhat unnecessary fulness and anxiety, on the inexpediency of including in a law of libel a minute and precise enumeration of all that should be *permitted*, as well as of all that should be *forbidden*. Though it appears that "une partie notable du public, et plusieurs membres très éclairés des deux chambres" were desirous of seeing the law framed on that principle, yet neither "the injudicious friends," nor the enemies "of liberty among ourselves," have *ever* proposed that we should, by adopting it, give effect to the prepossession which misled De Lolme when he began to pay attention to the operations of the English Government.<sup>16</sup> On the other hand, the French 'Report' gives as full a sanction as the writer in the Review could desire, to the doctrine of definitions of libel analogous to the definitions of treason: "La chambre, sans doute, appreciera dans sa sagesse une precaution qui, emprisonnant chaque provocation dans la definition même du delit qu'elle a pour but, expulse par la le vague, l'arbitraire, empêche la pensée de s'égarer sur les consequences generales d'une phrase ou d'un livre, et réduit la question posée au jury au rapport immediat de la publication qu'il a sous les yeux, avec un article particulier du code, dont il ne lui est pas permis de detournée son attention." If, therefore, definition could exclude "loose and vague charges of libel," that great desideratum has been accomplished by the French, who have been living for the last five years under the beau ideal of a law of libel!

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FROM THE ARABIC.

LEILA ! whene'er I gaze on thee  
 My altered cheek turns pale ;  
 While on thine own I trembling see  
 A deep'ning blush prevail.

Shall I, with truth, the cause impart  
 Why such a change takes place ?—  
 The crimson stream deserts my heart  
 To mantle on thy face.

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<sup>16</sup> De Lolme, p. 436.

## ON THE ART OF FORTUNE-MAKING.

SIR THOMAS BEEVOR, in expatiating the other day on the benefits that would accrue to the world in general from getting Mr. Cobbett into Parliament, observed, that he himself entirely owed the fortune he possessed to following Mr. Cobbett's maxims. No doubt Sir Thomas knows how he got his fortune, and moreover thoroughly understands those golden maxims by which fortunes may be got at any time. Happy and fortunate man that he is! will he not condescend to become the oracle of all the anxious worshippers of wealth, and explain how Mr. Cobbett's maxims may be converted into rules of action? The author of the 'Register' is a very clever writer, and, we confess, appears to possess the faculty of *making money* in an honest way. But although very assiduous perusers of his Delphian sentences, and much interested in sifting out their recondite meaning, it has hitherto been our fate to see nothing new in his maxims, and nothing, either new or old, that has made us two-pence the richer. On this account, therefore, it is that we think Sir Thomas Beevor would confer an everlasting favour on the public, if he could be prevailed upon to publish a commentary on Cobbett's maxims, opening their hidden meaning, and bringing it down to the level of "the meanest capacities." The worthy Knight may assure himself that mankind would not be ungrateful. The Dutch erected a statue to the man who first taught them to smoke and dry herrings; and could the English people do less for him who should make a correct chart, and mark the soundings and the depths and shallows of the Sea of Fortune? The man who invented gas, to light a certain portion of the fair creation in their nightly perambulations, is held to have achieved no mean enterprise; but what is the merit of illuminating streets, compared to that of dissipating the darkness that has hitherto hung over the arcana of Mammon?

Franklin once undertook to teach "the way to wealth;" he enumerated certain rules of conduct, and repeated many pithy old sayings and proverbs, which sounded very well in the mouth of "Poor Richard," but were mere "tinkling cymbals" to the auditors. Habits are not generated by proverbs or maxims. You may din the ears of the sluggish till doomsday with

Early to bed, and early to rise,  
Makes a man healthy, wealthy, and wise;

he will not get up the sooner for it. But persons, like Franklin, to whom constitution and habit have reconciled a certain mode of living and acting, are apt to persuade themselves that manners and notions, the result of their own peculiar character, may be put on like a cloak by all individuals indifferently. Every body loves to appear wise, and is always ready to attribute to prudence and foresight the effect of circumstances. Hence old men dispense maxims of long life, and

persons who have been fortunate, the rules of growing rich. Like Timotheus, they are willing to exclude Fortune from all participation in the honour of their success. "*Faber quisque fortunæ suæ.*"

There is no disputing with a rich professor of the science of Mammon; he himself is a proof of the correctness and completeness of his own theory. Impugn any of his propositions, he appeals to fact: "Sir, I have grown rich by following the rules I recommend to you; they are the offspring of experience, and such as I would be guided by, had I my life to go over again." We fear, however, that very few who have acquired great wealth could prevail on themselves to disclose *all* the maxims by which they regulated their conduct, or enumerate the propitiatory offerings they secretly made upon the altar of Mammon. And yet, unless we be allowed to penetrate the whole mystery, and make ourselves masters of every article of their catechism, their wisdom can be of no utility to us. In delivering their doctrines, it is by no means sufficient to recommend the physical processes of industry; they should define the precise degree of pliability and meanness and cunning to be exercised in general intercourse with the world. They should teach us in what language and with what looks we should ask favours; how to be importunate without offending; how to appear benevolent without doing good to any one; and kind and friendly even in refusal.

We have known some few individuals who possessed the art of growing rich. But they all differed from each other in many particulars. One, a hard ascetic man, without wife or children, accumulated his sordid guineas by defrauding himself of proper sustenance and apparel. His chimney was rarely seen to smoke; the hinges of his knocker rusted for lack of use. But he became wealthy. Another, jovial, social, agreeable, reached the same goal by very opposite means. To every man who came within his sphere he was a friend; but he attracted none, unless with a clear prospect of turning them to some advantage. With the most profound dissimulation, he appeared to abandon himself to the guidance of others, thus rendering them responsible for his success, while, at bottom, all around him were simply the instruments of his designs.

It would be instructive to inquire minutely into the aim of those pursuits by which great fortunes are generally made. Frequently, we think, it would be found to be frivolous, seldom useful, sometimes pernicious. Formerly, when credulity had longer ears than at present, one of the best professions going was that of prophet, or soothsayer, which, in the uncertainty of human affairs, and through men's extreme anxiety to look behind the veil of futurity, was held in very high esteem. Men of quick apprehension and great natural foresight, strengthened by practice and meditation, attached themselves to kings or generals, especially if they were about to embark in distant and doubtful expeditions; and carefully gathering up those scattered indications of the event, which, though invisible to vulgar eyes, could not fail to show themselves to men so deeply interested in discovering them, they boldly predicted what would happen.

When what they foretold came to pass, they were rewarded; and, on the other hand, when, contrary to their prophecies, disaster and overthrow took place, they either perished in the general wreck, or those perished who might have called them to an account. Xenophon tells a story about one of these soothsayers, which is worth repeating: When the younger Cyrus was marching towards Babylon against his brother Artaxerxes, being exceedingly anxious about the event, he offered sacrifice and consulted the gods. Silanus, the soothsayer, who was the regular prophet or chaplain of the army, and in considerable favour, as it seems, with Cyrus himself; Silanus, we say, predicted that no engagement would take place for ten days. The distance then between the armies, and the slowness with which the huge forces of Persia were known to move, made this prophecy extremely probable; but nevertheless, Cyrus, who judged of his brother's impatience by his own, promised Silanus that in case his prediction should be verified, he would bestow on him three thousand daricks. Fortune, and the heavy sands through which they marched, favoured the prophet, and the prince rewarded him with the promised sum. Thrasyllus, a much more daring and skilful prophet than Silanus, contrived to extract large gifts even from Tiberius himself, a man whom we might have expected to find too deeply versed in the arts of knavery to be deceived by a soothsayer. Even in England, and so late as the civil war, prophesying was still a good profession; for both king and parliament used to buy up the predictions of Lily at a good price, though neither could succeed in monopolizing his gift. At present there are no prophets of any great consideration or celebrity, except the immortal Francis Moore, who still issues annually his Sibylline leaves for the benefit of the Company of Stationers, and Mr. William Cobbett, who prophecies weekly for his own benefit. Therefore, this excellent profession may be said to have suffered an almost total eclipse, though there is still hope that some emperor or prince may yet have compassion on it, and restore it to its proper dignity among men.

A still surer road to riches has been discovered through voluntary vows of indigence and self-denial; for when a man takes an oath before God that he will remain in poverty, and torment himself by abstinence all his days, the world immediately experiences an inconceivable propensity to thwart his purpose, by furnishing him wherewith to live in idleness and luxury; by making him a prince, or some other preposterous piece of generosity. Thus the successor of St. Peter, originally a poor ragged beggarly priest, grew up by degrees to be the disposer of crowns, both here and hereafter, and still conceives himself entitled to talk like a prince. England itself, the country where sound thinking has been supposed to prevail more extensively than in any other, has still twenty-six princes, or peers, some of whom receive an annual income of 36,000*l.* for professing self-denial, and teach humility in a coach and six. Indeed, the church is at present the most flourishing profession that could be named; as a man may set up in it with very *little* capital, and with very *great* chances

of an excellent return. It is really, therefore, the best field for enterprise.

Next to this is the law, in which men subsist by fomenting the quarrels of others. Then follow physic and the stage :—quacks, actors, fiddlers, singers, dancers, &c., some of whom live more sumptuously than a Roman senator. We should be obliged to some patient calculator if he would inform us how much is paid annually by the English people for the pleasures of the stage, and what proportion of the money goes to eunuchs and foreigners, who carry what they get, or, at least, what they save, into other countries. The stage is undoubtedly the most elegant amusement of civilized life, and an actor, or a singer, a very respectable person. But, notwithstanding, it might perhaps be found, were inquiry made, that the gains of this class of persons were much more exorbitant than a wise people ought to approve. An opera singer refused the other day to be hired for less than 200*l.* per night. How many nights at this rate must she exhibit her powers in order to acquire an independence, and consequently the ability to withdraw the pleasure she can afford, from the public? For five hundred evenings she would receive 100,000*l.* which, at five per cent., would give her an income of 5000*l.* per annum. Pretty well, we think, for warbling a few songs. It is true, that all this while she must live; but she *might live* very handsomely for a singer, and have still 4000*l.* per annum.

It may, in general, be remarked, that as civilization advances pleasures grow more expensive. This is a curious fact. For the natural effect, we are told, of civilization is, to multiply the pleasures of life, and, in other cases, things greatly multiplied become cheap. Perhaps, however, it is only aristocratical pleasures that rise in value as mankind advance in wisdom, and that from the superior excellence of their nature. What then are the pleasures that become expensive in proportion as we advance in refinement? Those of intellect? Those of imagination? Oh, no! A man may buy Shakspeare, and so possess a treasure for life, for much less than a nobleman gives to hear a single song at the opera. If we love the arts, a few shillings will lay before us the chef-d'œuvres of antient and modern times. In many cases, we have but to walk into a public gallery to taste these pleasures *gratis*. A look into the Museum brings you acquainted with the genius of Egypt and Greece; there you may touch the gods of the Nile, of the Ilyssus, or of the Tiber; shake hands with Isis or Apollo, or, for variety, contemplate the combs and bodkins of a Roman lady. Were an exact scale made of all human enjoyments, showing how many are open to all those who possess competency and leisure; how many can be tasted exclusively by a noble; how many by nothing short of royalty; it would, we suspect, be discovered that the higher orders have not been able to monopolize the real delights of life, and that every thing which they alone can possess has no value but what is attributed to it by opinion.

Riches are very often acquired by some intellectual or physical

defect. Kings, the great stewards of Mammon in Europe, have always been accustomed to maintain, under one name or another, a fool at court, in order to enjoy the benefit of his congenial conversation. Sometimes one such personage is deemed insufficient, and half the court is formed from that family. These innocent people, however, being thus, to the great wrong and injury of the keepers of Bedlams, left at large, contrive, with all their simplicity, to extract fortunes from royal munificence, and found families in which the original virtue of the race is transmitted to the latest posterity. His Majesty of Byzantium, having much business to transact in his palace which would not very well bear to be painted by the tongue, has a particular affection for persons whom nature has deprived of that mischievous little organ. These, with the help of other imperfect beings, sow up his offending wives in sacks, and introduce them to the fishes of the Bosphorus. The same prince has likewise as many brace of Lilliputians about his person as can possibly be found in his dominions: and upon all these step-children of nature he showers his bounty in profusion, as if he were commissioned to patronise imperfection. In Turkey, therefore, it is fortunate to be under two feet in stature, to be born without a tongue, or without reason—for, as the sultan patronises mutes and dwarfs, the people patronise idiots.

During the brain fever produced by the Mississippi scheme among the Parisians, a poor man, who very fortunately happened to be hunch-backed, made a large fortune in a few days, by hiring out his shoulders for a desk to the speculators in the "Rue Quinquempoix." Sappho's sister-in-law<sup>1</sup> was raised to the rank of queen by the beauty of her slipper; for a vulture happening one day to be flying over her garden while she was bathing, saw her slippers lying on the edge of the marble basin, and, snatching up one of them, flew with it to Memphis, and dropped it before the king. His majesty, being a connoisseur in pretty feet, was smitten with this slipper, and caused search to be made for the owner; that is, he advertised, we presume, in the 'Times' and 'Chronicle' of those days, and at length discovered the lady concerned, and married her.

Among the Romans, fortune-making was a regular profession, the whole art of which consisted in knowing how to flatter and wheedle old men about to make their will. The artist, like Edmund in Lear, had very frequently to make his way through the honour or life of a beloved son or daughter; but he was not discouraged by such accidents. If people would stand in his way, and thwart him in his vocation, he could not help it; upon their own heads was the blame. He by no means wished to contend with them; he was their father's friend; and if they would suffer the good old gentleman to exercise

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<sup>1</sup> The relationship, to be sure, was somewhat irregular, and the story is sometimes told thus:—as Rhodope was bathing in the Nile, (she was a native of Naucratis,) an eagle snatched her slipper out of the hand of one of her maids, &c.

his own judgment, and choose his heir, well; if not, it was his duty, at all events, to see his patron free.

Something very similar has at times prevailed in England. Priests and other pious persons have been known to wind themselves, as Goldsmith says, into their *subjects*, like a serpent, and, cozening them with hypocrisy, to *abduct* their understandings, if not their persons, and possess themselves of the property due to their children and friends.

Such are some of the methods of thriving which either have prevailed or are still prevalent. We have barely glanced over them hastily, in the hope that Sir Thomas Beevor, or his oracle, may be induced to give the world a complete treatise on the subject. The thing is very much wanted: for it is quite certain that the ways and means by which money is commonly acquired, have very seldom been properly characterized or defined; and, notwithstanding the great number of books daily inflicted on the public, we perceive no symptoms of an approach to this branch of philosophy; which therefore appears to be left, by common consent, to be handled by the enlightened and impartial historian of the Reformation!

#### ON THE DEATH OF LORENZO MASCHERONI.<sup>1</sup>

##### *From the Italian.*

As when the lamp, for want of watchful care,  
Burns with an arid thread and pallid glare,  
And dwindling low, and faint its former fires,—  
Whilst flickering in uncertainty the while,  
(A love of life, supporting still its smile,)  
In one last effort brilliantly expires;

Such was that soul refined, whose mournful doom,  
Whilst life still flourished verdantly in bloom,  
Snatched every fond hope from Italia's eyes,  
That, harassed long within by painful stings,  
Gasped weary for escape, and spread its wings,  
And glittering brightly, mounted to the skies!

<sup>1</sup> From *Tales of Chivalry and Romance*, just published.

## IMPROVED PLANS OF PUBLIC EDUCATION.

It is the duty of periodical writers to watch the spirit of the age, to descry what new fountains of good are opening, and direct public attention to these salutary springs, so that they may be rapidly diffused over the whole surface of society. Possessing ourselves an intermediate channel between two remote quarters of the globe,—one the most capable of originating, the other most susceptible of receiving, improvement,—we are at all times anxious to accelerate its genial stream to those distant regions. In compliance with this duty, we have examined some of the latest works on the all-important subject of public education; and proceed to consider the most valuable of the new principles they seem to have developed, or antient ones they have revived and more fully confirmed.

More than two years ago, (in our Number for February 1824,) the Hazelwood system of education was brought to the notice of our readers. A second edition<sup>1</sup> of the work then under review, improved by all the subsequent experience of its intelligent authors in the art of instruction, which in their hands has risen to the dignity of a science, and one of the most valuable of sciences, affords us an opportunity of observing the progress of this admirable system towards perfection. In the first edition, as observed in the Preface, this plan was treated rather as a subject of abstract scientific inquiry, the name of the authors, or even of the establishment, being modestly withheld, lest they should seem to be obtruding their affairs on the notice of the public. But, since that time, the voice of fame has ushered them into the world without waiting for their consent. "It would," they observe, "be affectation to attempt any concealment, after the notice of our work and its authors, in the '*Revue Encyclopedique*,' the '*Oriental Herald*,' and the '*Edinburgh Review*,' which latter journal took the name of the school for the title of its article."

We feel a just pride in having been the first among our periodical contemporaries, to call public attention to an institution whose merits needed only to be known in order to be appreciated in every quarter of the world. Among other proofs of this general approbation, we have lately learnt, that three South American youths, sons of officers who had fallen in their country's service, have been recently sent to Hazelwood, to be educated at the expense of the Buenos Ayres Government, for the purpose of forming them into teachers, intended ultimately to introduce the Hazelwood system into South America. About two years since, Mr. Rivadavia, the former President of the Buenos Ayres Government, being then in England, and desirous of placing two of his sons at the best seminary in this country for the completion of their education, was induced, chiefly by the high opinion enter-

<sup>1</sup> Plans for the Government and liberal Instruction of Boys in large Numbers, as practised at Hazelwood School. Second Edition. London, 1825.



tained of the Hazelwood establishment by his venerable friend, Mr. Bentham, as well as by Mr. Mill, the Hon. Leicester Stanhope, and many other distinguished friends of education, to place his sons there; and it is no slight proof of his entire satisfaction at the results, to find three youths from the quarter of the globe in which he has so powerful an influence, sent to the same seminary, for the purpose of learning its system, and qualifying themselves to teach it to others. This is indeed a very flattering testimony to its merits, but not at all beyond its just claims to universal adoption. We have reason to know also, that young gentlemen, of the most commanding talents, have been removed from Eton to Hazelwood, from the conviction of its superiority alone, and without the intervention of any peculiar motive or influence to urge the change; and we have equal reason to believe, that the expectations entertained of benefit from this change, have been amply fulfilled. May we venture to hope that private philanthropy (for otherwise there is no hope) will shortly confer the same advantages on British India; where, so defective is every system of education hitherto established, that no British parent feels he has done justice to his offspring unless he sends them to a distance of half the globe to receive the elements of learning; and for this purpose he incurs a large expense, parts with those most dear to him in their very infancy, exposes their tender years to the risk of a long voyage, with many chances of never beholding them again after this period of painful separation.

Though we formerly gave a general outline of the plan of education pursued at Hazelwood, and here recommended, in entering upon a consideration of the several excellencies of its present form, it is necessary that the reader should bear in mind the framework of the system which connects all its subordinate parts. The main-spring of the machine is, that the power of self-government is left, as much as possible, to the boys themselves; while the teachers only prescribe the quantum, the kind, and modes of instruction. The pupils are permitted to elect a committee from their own body, in which the laws for preserving strict discipline in the school are proposed, discussed, and enacted. The teachers reserve to themselves the regulation only of the routine of exercises, and the hours appointed for their performance; and these powers are not exercised individually, but by act of the whole body meeting in conference. This conference consists of ten resident teachers, including the principal, who hold a meeting once in the week, for regulating such part of the school affairs as fall under their jurisdiction. The school-committee, again, is elected by the boys from among themselves, at a general meeting on the first Monday of each month. These are the two great instruments of government; and under the latter is a regularly-organized judicial system, consisting of a judge and jury regularly and impartially chosen, with a prosecutor and defender-general, and all other necessary officers for carrying the laws into effect.

It has often been observed, that the mode of education in every country ought to correspond with the genius of its government; but

never was this desirable object so completely attained as in the system observed at Hazelwood. It may be considered as a miniature of the British constitution, having the most striking resemblance in all the most remarkable features, but, in our judgment, with many improvements both in principle and practice. Here the principal has the sovereign prerogative of a veto on the enactment of the general laws of the school by the committee of boys;<sup>2</sup> but this power does not apply to the appointment of officers, the decision of appeals, or the disposal of the common funds. The conference, composed of the ten head preceptors, forms a sort of aristocratic assembly, somewhat analogous to a House of Peers, but with a very limited jurisdiction, embracing only the species and modes of study, with the amount of the rewards to be given to pupils for extra labour or various degrees of merit in their school exercises. Thirdly, the school-committee is a perfectly popular body, or House of Commons, which has the exclusive management of the revenues of the community, and sanctions all regulations for preserving order among its members. The revenues we have mentioned are, (of course not the receipt or expenditure of the establishment, which may be regarded as the "foreign affairs" left in the hands of the Crown, but,) first, the "benevolent fund," raised by voluntary contributions from the teachers and pupils, and applied to charitable purposes; and the "school fund," amounting to upwards of 100*l.* per annum, partly furnished by the proprietors, partly by the parents of the boys, and expended chiefly in the purchase of philosophical instruments, musical instruments, apparatus for printing, maps, school-coin, and books for the school library. The prudence and uprightness with which, we are assured, they have administered their finances, prove not only the safety, but the advantage, of intrusting funds to such amount to children of these tender years, under circumstances which, by early creating a just tone of moral feeling, must make them better members of society for life. This is infinitely more useful than to cut off children from all the ordinary springs of human action, until they are suddenly plunged into the vortex of real life, when the natural propensities, which seemed to be extinct, because dormant for want of excitement, are suddenly roused into action by their peculiar stimulants; and the inexperienced youth, hurried along by impulses which he has never been taught how to regulate and restrain, is like a ship sent out to sea without a rudder, at the mercy of the tempest.

We are, therefore, altogether at issue with those who believe that youth ought to be carefully secluded as long as possible from the in-

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<sup>2</sup> We are informed in a note, that "though the first committee was appointed on the 3d of February 1817, and although from that time to the present, (April 1825,) the committees have been constantly employed in repealing, revising, and correcting the old laws, and forming new ones, the principal's assent has never, in a single instance, been withheld, or even delayed": so accordant are the enactments of these juvenile legislators with the dictates of the most mature judgment.

*fluence of any motives of self-interest: for, in the first place, the absence of it from the boy will not prevent its operation on the man; and secondly, it is of importance to teach early the habit of restraining it, by a sense of justice, and the internal satisfaction experienced in sacrificing self-gratification for the common weal. This is the true foundation of civil society as now constituted; and as such motives must, when the pupil takes his station in it, ultimately come into play, it is necessary they should be trained by education. In a preparatory school, for such communities as Mr. Owen's, they might, probably, be advantageously excluded.*

The motives of action employed in this microcosm are, therefore, wisely analogous to those found operating in the great world:<sup>3</sup> on the one hand, rewards, conferring honour, pleasure, or pecuniary advantage, (in school currency;) on the other, punishments, consisting of a deprivation of the former in a greater or less degree,—in rare cases, short confinement and extra labour: but should all other means fail to reclaim a refractory member, as a last resource, absolute expulsion. To this last remedy, it has very rarely, if ever, been found necessary to resort; and it is exceedingly gratifying to know that the infliction of corporal pain, or even long or harsh confinement, or public disgrace, are completely banished from this system. The art of governing mankind (as well as boys) consists in the invention and due application of a scale of motives, varying in degree, and in each case, just adequate to produce their effect: for if they be too weak, the object is not accomplished; if more powerful than enough, there is a superfluous infliction of evil. Here a finely graduated measure of reward and punishment is provided for: first, by the creation of a school-currency, called *marks*, of two kinds; the first, personal, which can only be available to the individual on whom they are conferred, on account of exercises performed by him of very superior merit; the second kind, of marks transferable from hand to hand, and given as the reward of industry and good conduct. The power of earning these marks, by which they may secure a purchase of certain privileges or indulgences, (as, for instance, an occasional holiday,) supplies a constant stimulus to close study and attention to duty; while the apprehension of losing them, continually operates as an efficient, yet not too severe restraint, on any deviation from propriety. In this manner is admirably observed a principle which should never have been lost sight of by teachers,—that punishment ought never to be employed to stimulate to good actions, but only to repress bad ones; otherwise the task becomes associated in the mind with the penalty of non-performance; and thus learning has been too often rendered as disgusting to the flogged school-boy, as his forced labour is to the negro. Such a mode of tuition is entirely unworthy of a free, not to say an enlightened, country, and fitter for “rearing” a population of slaves.

<sup>3</sup> The motives are divided by the authors into the following, arranged in the order of their supposed comparative excellence: love of knowledge, love of employment, emulation, hope of reward, and fear of punishment.

Admitting, however, that artificial or factitious motives are necessary to inspire children with the love of learning before their minds are sufficiently expanded to comprehend and appreciate its consequences on their future life, and that corporal punishment is inadmissible, there are some who suppose that the cheering applause of the teacher may be sufficient stimulus to the juvenile student. We have no faith in this universal specific, as applicable to the infinite variety of tempera and talents in a public school; and, in principle, we think it more fitted for training up the subjects of an absolute monarchy, so that from the cradle to the grave the supreme motive of action might be the pleasure and approbation of one man—the parent, the preceptor, or the prince.

On this subject, a valuable principle is laid down in this work, (p. 358,) that the scale of reward ought to resemble “an inclined plane,” so that the pupil may be tempted, by the facility of each step, to persevere in a gradual ascent towards higher excellence; but the scale of punishments should be like “precipices,” that the pupil may always dread a retrograde. Of this nature are the distinctions of rank, which also form part of the system. A boy at entering takes the denomination of *ward*, and stands at the zero point in the scale of rank. After a certain period of freedom from tasks and fines, two hundred “marks” are placed at his disposal, and if he continue for three months able to discharge all penalties he may incur, he then becomes a *frank*. This rank entitles him to a certain short credit for fines, admission to superior play-ground, and four holidays in the year for excursions of pleasure. But a *frank* may lose his title by insolvency, and then he has to work himself up again through the grade of *ward*, to do which requires at least three months. Frankship, continued unbroken for the space of a whole year, makes the boy a *veteran frank*, who enjoys still superior privileges; and a *frank*, having made certain acquisitions, may be raised to the rank of *autarok*. The upward progress on this ladder of ambition is gradual and slow, being the result of continued good conduct; but the descent is fearfully precipitous; for whoever is convicted of any offence before the court of justice, whatever be his rank, becomes instantly a *ward*, and must work his way up to these honours in the same manner as before.

Having given this brief outline of the machinery of the system, we proceed to consider its operation and results. Marks, or school currency, are, in fact, the measures and representatives of merit; the possession of them is consequently an object of ambition, as well as a necessary passport to *scholastic* dignity; the loss of them a matter of serious concern to the languid youth who is panting for fame and distinction among his compeers. By these gentle means, as by innumerable silken cords, the pupils are most effectually led along in the path of duty; the most torpid are soon stimulated into emulation; the most refractory insensibly subdued into obedience to the ever-acting laws of the system. The participation of all the pupils in the

enactment of these laws, and also by jury trial in their application, gives them an all-pervading influence. Since instead of the "standing conspiracy," as well observed, which under other systems exists always by a sort of tacit consent of all to defeat the orders and elude the vigilance of the autocrat teacher, here a breach of the regulations is felt to be an offence against the community, or a contempt of its decrees, which all have a common pride and satisfaction in seeing enforced. This creates a public spirit of disinterestedness and rectitude, of which the excellent moral tendency is not the least important quality. The authors remark, p. 51—

Justice to our pupils requires that we should express our admiration of the high tone of moral feeling which pervades the great body—daily, almost hourly, instances occur, which clearly indicate so desirable a state. We could mention instances where boys who had fraudulently obtained property, have been forced to restore it to the owner by the mere expression of public opinion, before there had been time for the intervention of the school authorities; but we forbear entering into the particulars, from the fear of hurting the feelings of boys who have shown, by their subsequent conduct, a sense of the impropriety of their former behaviour. It is by no means uncommon for boys to report, that fines, which they have incurred and might have escaped, have been omitted in the public accounts. Public inquiries for the owners of money or marks, which have been found, are made almost every day; sometimes the amount is considerable. In August last, two little boys, (one nine and the other ten,) found 2400 marks in the Gymnasium. As no one was present at the time, the boys might easily have appropriated them to their own use; and when we consider, that to have earned such a stock of marks, would have required the labour of sixty hours from the younger boy, or eighty from the elder, it will be seen that the temptation was by no means trifling. Immediately upon finding the marks, the little fellows, proud of their integrity, ran and deposited them in the hands of the magistrate.

This is the feature of the system which above all others ought to recommend its adoption in India. For the radical defect of an education received in that country is universally considered to consist in its not communicating to the pupils a right tone of moral feeling, from their being exposed to the corrupting influence of Native servants, and, in many cases, of Native mothers; or associating with those within the reach of such moral contagion.

Hence it is but too notorious that, taking Calcutta as an example, in the large seminaries there, whether from the effects of climate or evil communication, the most pernicious habits, the most odious and destructive vices grow up in spite of every precaution and severity of punishment. But the perfect discipline and never-sleeping vigilance of this system, watching over the pupils from morning to night in their hours of study and of leisure, of exercise and of rest, in their playgrounds and in their dormitories, must check in the bud every vicious propensity, and speedily extirpate even bad habits that may have already been acquired out of doors. In the school, we think we may safely aver, that their time is so judiciously filled up that there is no

vacant space left for the growth of such pernicious weeds. To evince this, we give the following outline of the history of a day :

At six o'clock the bell rings for the boys to rise ; ten minutes after it rings again, when all are expected to stand prepared to march down stairs. To ensure perfect punctuality in observing these and every other rule which follows as to time, a single second too late incurs a fine. From 6h. 15m. to 6h. 35m. is allowed for washing. Then commences the morning prayers. At 6h. 55m. a rally on the drum summons all the officers to prepare for the general muster. At seven there is a general muster of all the boys. Then reading and parsing, French, &c. till 7h. 30m. Till 8h. preparations for Latin classes. At 8h. 5m. classes form for Greek and Latin, construing and grammar. At 9h. 10m. the bell rings for breakfast. At 9h. 25m. the defaulters go to work, (a mode of punishment while the rest are at leisure, till by a certain number of hours of extra labour they make up their defalcations.) At 9h. 45m. a general muster, immediately after which classes form for history and geography. At 10h. 35m. classes for mental arithmetic. At 11h. classes for ciphering and penmanship. At 12h. the Latin classes are exercised. At 12h. 30m. the reading and French classes. At one o'clock, a muster for dinner. At 1h. 20m. the defaulters (having again been subjected to temporary extra restraint) join the dinner party. At 1h. 40m. they are ready to go again to work. At two o'clock, a general muster, after which the boys again form themselves into classes for study. At three o'clock the same kind of exercises as at twelve are resumed, i.e. chiefly Latin. At four o'clock, the classes for gymnastic exercises assemble ; after half an hour these exercises are varied ; and, at five, refreshments are distributed. From five till a quarter before six, a few boys who have acquired a habit of stooping, lie down in the manner prescribed by the medical men of the present day. At 5h. 45m. a muster for evening school, when the boys, with the assistance of the classical teachers, prepare their lessons for the next morning. At 6h. 30m. the washing is again repeated, as in the morning. At seven o'clock, a muster for supper, the band playing. At 7h. 15m. the defaulters leave the table, and go to work, (another small deduction from their enjoyment). At 7h. 35m. prayers. At eight o'clock the younger, and 9 o'clock the elder, boys retire to bed.

But from this naked outline of the routine of a day, a very inadequate notion would be formed of the peculiarities of the system, and the means it presents for the development of the mental and bodily faculties. For the latter, to extensive play-grounds and gymnastic exercises, is added, a swimming-bath ; and the intellectual powers are more fully exercised according to the natural genius of each individual, in what is called "voluntary labour," because the particular species of study is left to the discretion of the pupil, who is only enticed to it by the hope of reward in personal marks conferred on him according to the merit of the fruits of his ingenuity and industry, which may thus carve out a new path for attaining distinc-

tion. Among the favourite subjects of such spontaneous exertion, are stated to be working the printing-press, penmanship, drawing, etching and painting, constructing maps, making surveys, studying music, modelling animals, and constructing machines; learning orations; taking reports of lectures, trials, or debates; and composition in prose and verse, in various languages. Amid these diversified fields of enterprise, there is no mind so sluggish or feeble but must, when stimulated by emulation, be drawn forth, and discover its peculiar powers. As a specimen of what is accomplished in this way, we quote from a Magazine, written and printed by the boys themselves, the account given of the muster at the close of the vacation in the commencement of last year. It is introduced by the editors to show the advantages of strict punctuality. They observe—

To induce punctuality in our pupils, we find it to be of the first importance that the nominal and actual hour for assembling should with undeviating regularity be the same. There must be no uncertainty, no allowance for distance or accident—no excuse whatever must be admitted; and under this condition it is wonderful how easily the greatest distances are passed over, how few accidents occur, how soon all excuses vanish!

Two or three days before the close of the vacation the arrivals commence; and on the last evening we find ourselves surrounded by a crowd of faces scarcely less happy than when we saw them last. But we cannot do better than extract from our little Magazine a description of the muster at the beginning of the present half-year, as given by the Editor in the warmth of his juvenile feelings:—

“Our present session commenced on Thursday, January 20th, but many pupils who reside at a distance, anxious to secure their attendance at the first muster, came on Wednesday, ourselves of course among the number; and from five a. m. to ten, noise and bustle reigned throughout the house; coaches came one after another, full of wearied travellers; who, after taking their refreshments, were ushered into one of the parlours, where Messrs. Hill had kindly provided cards, chess, and drafts, for such as chose to amuse themselves with these games; but the continual entrance of old and new school-fellows, and the consequent salutations and introductions, prevented any great regularity in these amusements.

“The party whose arrival was most anxiously awaited, was that from London; for in this were expected the two Greeks, who were coming to be instructed here; and, as may be supposed, their appearance produced no small sensation.

“Upon counting the number present this evening, it was found to be fifty; but of these thirteen had remained here during the vacation.

“On Thursday, about ten o'clock, the scene of confusion was renewed; carriage after carriage rolled to the door till twelve o'clock, the time appointed for the first muster. The Greeks, whose names are Eustrathios Itallis and Stamos Nakos, were so good as to appear on this occasion in the costume of their country, which is very splendid; this morning the curiosity which they excited exceeded that shown the preceding evening, and was testified by the dead silence which their entrance produced.

“We have great pleasure in stating that more were present at this muster than at any previous one: ninety-six pupils arrived in time; one more

came during the muster, but the bell had ceased ringing, the drum had beaten, the doors were closed, and he could not be admitted.

"Upon examination it was found that only four<sup>4</sup> individuals were absent who could have been present."—*Hazelwood Magazine*, Vol. III.

Another mode of calling the mental powers into action is too important to be passed over. In conducting the system of administration before described, every boy must, in his due turn, be called upon to discharge the functions of a legislator, a judge, a magistrate, a juror, an advocate, or a pleader on his own behalf; and in circumstances the most favourable for the exercise of his mental faculties, as he has to deal with persons of nearly his own age and acquirements. By this practice, embracing the greatest variety of offices, he is prepared, in the most admirable manner, for the business of real life; and if private debating societies have been the preparatory school of our greatest orators, we may, without being at all too sanguine in our expectations, regard this institution as probably the nursery of those varied talents which are to form the chief ornaments of the bar, the bench, and the senate in the next generation.

Our limits almost preclude the possibility of entering at all into the mode of study followed here, in the various branches of learning. With respect to the great business of education in all systems hitherto, namely, the acquisition of languages, the method of tuition adopted is what is justly called the "natural" method. This is an imitation, as far as possible, of the mode in which every child acquires its mother-tongue with extreme facility; and travellers become, with a little care, perfect masters of foreign languages. First, by means of translations of easy compositions, carried on in classes, and occasionally by dialogues, the boys acquire, periodically, a large stock of words and phrases, and become familiar with the general principles of the language; after which, grammar is taught to give them a more perfect and critical knowledge of its nature. How much more rational, easy, and effectual is this, than the ordinary method of overloading a boy's mind with an infinity of abstract rules and technical definitions concerning an unknown tongue, before he possesses the substratum to which they are applicable? Such barren knowledge is like the art of painting to a blind man, or the science of music to one yet unacquainted with sounds:

In giving our pupils a knowledge of English Grammar we make but little use of the grammar-book; composition and parsing being the exercises on which we chiefly depend. In the art of composition our pupils receive regular lessons on the plan recommended by the Abbé Gaultier, and now practised with eminent success by Dr. Gilchrist, the Orientalist, at whose suggestion we adopted it.

In order to illustrate this, we subjoin a specimen of the exercises which have been distributed by Dr. Gilchrist throughout the kingdom, to promote the diffusion of this system, so well calculated for

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<sup>4</sup> Of these four, it was afterwards discovered that one had left the school, and that another was unwell.



exercising the faculty of memory or judgment in the young pupil, who is called upon to supply the blanks here left; and if in any case he feel himself incompetent, the figure of reference directs him to another part of the book:—

## LESSON.

Dancing was <sup>1</sup> a continuance of <sup>2</sup>. It was not <sup>3</sup> work, and therefore was held in little <sup>4</sup> by Charles and Louisa. It is very <sup>5</sup> that <sup>6</sup> people should acquire a <sup>7</sup> manner. It is proper also, that in family <sup>8</sup> they should be <sup>9</sup> to take such a part in the entertainments as may show them to <sup>10</sup>; but it would be a <sup>11</sup> to have it said that those young people <sup>12</sup> as well as the first <sup>13</sup> dancers; for people would <sup>14</sup> imagine, that all other <sup>15</sup> had been <sup>16</sup> in order to <sup>17</sup> this frivolous <sup>18</sup>, the perfection of which is only <sup>19</sup> for the theatre, and <sup>20</sup> be considered <sup>21</sup> as innocent and <sup>22</sup> recreation. We <sup>23</sup> not, therefore, to <sup>24</sup> too much of our <sup>25</sup> to the acquirement of such <sup>26</sup> accomplishments.

In applying this singularly happy mode of “teaching the young idea how to shoot,” the preceptor reads a passage aloud to his class, omitting such words, clauses, or sentences, as he supposes the pupils able to supply. The class then attempts to fill up those blanks; and, in the course of this exercise, when any inelegant or ungrammatical expression is offered, the teacher takes the opportunity to explain the reason for its rejection. These exercises may be carried to any extent, till the pupil acquires all the elegancies of his native tongue. For foreign and antient languages, (French, Greek, and Latin,) recourse is had to the process of double translation, practised by Roger Ascham with such eminent success in the education of Queen Elizabeth, and of “extemporaneous construing,” used, it is said, in the tuition of the celebrated French classical critic, Madame Dacier, and resembling the mode pursued in teaching Latin when it was the literary language of Europe. A class opens at a passage with which the pupils are unacquainted, and they attempt to construe it, the master assisting them in their difficulties, not confining himself to the mere translation of obscure phrases, but intermingling explanations, and also such information as boys ought to find in the notes of their school-books; but which, as far as our knowledge goes, is seldom to be met with.” To this is added, for the antient tongues, dramatic recitations, and for the French, conversation at table. For acquiring the latter, this establishment possesses a peculiar advantage, there being many foreigners in the school from various countries, and French being, in a great degree, their only common language, the English pupils are furnished with an additional motive and opportunity for cultivating its use; so that some of them speak it with fluency; many can use it for all necessary purposes.

While on the subject of acquiring languages, we are induced to advert to the extraordinary pretensions of Mr. Hall, a distinguished

<sup>1</sup> only; <sup>2</sup> recreation; <sup>3</sup> called; <sup>4</sup> estimation; <sup>5</sup> proper; <sup>6</sup> young; <sup>7</sup> graceful; <sup>8</sup> festivals; <sup>9</sup> enabled; <sup>10</sup> advantage; <sup>11</sup> pity; <sup>12</sup> danced; <sup>13</sup> opera; <sup>14</sup> naturally; <sup>15</sup> knowledge; <sup>16</sup> neglected; <sup>17</sup> acquire; <sup>18</sup> talent; <sup>19</sup> suitable; <sup>20</sup> should; <sup>21</sup> merely; <sup>22</sup> pleasant; <sup>23</sup> ought; <sup>24</sup> devote; <sup>25</sup> time; <sup>26</sup> trivial.

teacher in this metropolis, who professes to communicate to adults "such a knowledge of the Latin language in three months, as shall enable them to translate any Roman author with ease and pleasure." We have before us a work of his lately published, developing his system, which informs us, in the Preface, that "a young gentleman, well versed in English grammar, but unacquainted with Latin in the slightest degree," was able, under Mr. Hall's tuition, at the end of *seven days*, "to undergo a public examination in translating, parsing, and scanning the whole of the first book of Virgil's *Æneid*." We should have been inclined to set down this incredible achievement as on a par with the miraculous effects attributed to the harp of Orpheus, if we did not happen to have conversed with some of the examiners on the occasion, who, though themselves sceptical, admit that the individual experimented on, went through the examination with credit. The outlines of the plan followed are these: The roots of the language, according to their three main classes, are divided each into six lessons; that is, six lessons of substantives, six of adjectives, and six of verbs. Then follow six corresponding lessons of what are called root sentences, which are composed methodically of the foregoing. Thus the learner having committed to memory the first lesson of root substantives, the first of root adjectives, and the first of root verbs, has in his mind all the materials of the first lesson of root sentences, which he then studies. He proceeds in the same manner with the second and third divisions of each class, and so on, till, at the end of six lessons, he masters the whole roots of the language, and at the same time familiarizes himself, in some degree, with the mode of using them in composition. This is certainly very superior to the common mode of committing indiscriminately to memory whole vocabularies of words, thousands of which, from no such arrangement being made, never occur again till they are entirely forgotten. It is, consequently, so much lost labour; whereas the root sentences, in which these words are instantly brought into use, serve to fix every one of them firmly on the mind. Another aid to the memory, of very great utility, which by this author seems to have been for the first time reduced into a system, deserves special notice. It consists in supplying for each word in the vocabulary to be learnt, another word in some way allied to it in sound and sense, which being already known to the learner, serves as a connecting link to recall the unknown word to his mind. The advantage of this discovery will be readily conceived from a few examples taken from his vocabulary, which is on the following pattern:

English.	Latin.	Connecting Link.
Eagle	Aquila	Aquiline
Water	Aqua	Aquatic
Son	Filius	Filial
Sword	Gladius	Gladiator
Wall	Murus	Immure
Cow	Vacca	Vaccination

It is obvious how much an advertence to the third of these columns will assist the retention of the first in the memory; and with this

adventitious aid, which runs through the whole vocabulary, we have no doubt that a person well versed in English, might, in a few days, master all the roots in the Latin language. In the seven days' experiment before mentioned, of course only the words in the first book of the *Æneid* were attended to, which would materially lessen the labour; but how the grammar and prosody were learnt in the same brief space of time, we shall not attempt to explain. The examiners do not profess to have had any *personal* knowledge of the student's *previous* ignorance; and it appears that he was not examined till a considerable time after the seven days' period of study. We shall only further remark on this work of Mr. Hall's, that the vocabulary is not always correct, the secondary meaning of a word being often taken for its primitive signification, (for instance, *Bacchus* is always used as the Latin for wine;) and the connecting words (as "*rimose*," "*sural*," &c.) are many of them preposterous, being less known to the English reader than the Latin itself. The root sentences are also constructed with the most barbarous disregard of the principles of grammar. But though the execution be faulty, the plan itself possesses great merit, and, we think, originality. It might be eminently useful for overcoming the drudgery of learning the elements, and preparing the mind for entering at once upon an extensive critical study of the antient languages.

There is no part of the Hazelwood system which pleases us more than the attention paid to that most useful, though common art, penmanship; for, excepting the facility of speech, there is no acquirement more essential to the whole business of life. The object aimed at is, not to produce beautiful specimens of copperplate imitations for show, but a swift and legible current hand; and one that possesses these two qualities, the authors are of opinion, will seldom want elegance, or, at least, the want must be little felt. They, therefore, reject the usual mode of making the pupil commence with a sort of text copies, in which the letters have very different proportions from those of the small current hand, which it is the main object to learn. But their improvement in this art will be best explained in their own words:

The usual method of instruction in penmanship is to commence by teaching the pupil to imitate an exemplar of large hand, which has the defect before-mentioned, of not being a correctly magnified current hand. Thus his ideas of excellence are injured; but that is not all; for setting aside the incorrectness of the model, the scholar is generally permitted to gain a habit of forming the letters, which he has to unlearn when he begins to write swiftly. He is generally allowed to raise his pen and remove his hand at every stroke; nor does he set his pen down at the precise point at which he raised it; for supposing him to have finished a down-stroke, he springs the following up-stroke, not from the foot of the stem, but from the middle; so that, instead of preserving one uniform gliding motion to the end of the word, in which neither the hand nor the pen is ever removed from the paper, the pupil is learning a system of double leaps,—one horizontal with his hand, another oblique with his pen.

We no more see, we must confess, how the scholar can learn a running

hand by such practice as this, than how he could learn to skate by imitating the jumping of a frog. In fact, he does *not* learn a current hand by any such process ; and nothing is more common than to find a boy, who brings home copy-books beautifully written, fall into a wretched scrawl the moment he attempts an approach to the rapidity of real business.

Laying it down as a principle, that the eye ought to obtain an accurate knowledge first of what the hand is to perform, they, in the first place, make the pupils critically acquainted with the proportions of the letters, by forming them with chalk or pencil on a board or slate, a process which does not interfere with the learner's habit of using the common pen. The standard adopted is exactly the current hand magnified ; and when the learner has acquired a tolerably correct "*ideal*" of it, he is set to write with pen and ink, making the letters as large as he can form them, consistently with preserving all the habits necessary to the correct execution of the running-hand. Then,

The pupil having acquired a certain degree of facility in slow writing, joins a class employed in forming words, which consist of strokes of equal length, as *inn, mun, nin*, &c. After practising one of these words in his accustomed manner, a pendulum is made to vibrate in the time required for an up-stroke, and the corresponding down-stroke : a boy is appointed to the office of time-beater, who counts the vibrations aloud till he has numbered the down-strokes in the word ; when, leaving one vibration blank to give time for a change in the position of the writer's hand, he proceeds to count again, and so on. It is the business of the penman to make the strokes as they are counted. From time to time the pendulum is shortened, until the word is written with great rapidity. Another word is then chosen, the pendulum is again lengthened, and the process goes on as before. The practical effect of this method we have found to answer all our expectations, not only with regard to swiftness, but also with respect to certainty of execution.

The laws of musical time, which are impressed upon the minds of the pupils by the constant, regular, and we may say harmonious, operation of the whole machinery of the system, afford also a superior facility for correcting defects of enunciation ; but our space prevents us from pursuing the subject farther, though we had marked many other passages for quotation and comment. Of the volume itself, which describes the Hazelwood Institution, we must say, that for pleasing interest it excels any thing we ever read. In one respect, it is a philosophical history of human nature, exhibiting its most gentle aspect in that delightful period of existence before the fiercer passions come into play. Instead of the dull monotony of a school on the old plan, we find all the lively interest and variety of a busy state, where attention is kept alive by a perpetual succession of objects, and where we contemplate the expanding faculties of the juvenile mind as a flower-garden invited to put forth its blossoms by the genial breath of spring. If, in the foregoing remarks, we have succeeded to any degree in giving an idea of this system, we are persuaded that every parent will desire to secure the benefits of it to his offspring, and every philanthropist wish to see it established in all parts of the globe.

## THE NORTH-WESTER—BY JOHN MALCOLM, ESQ.

They were the first  
That ever burst  
Into that silent sea !—COLERIDGE.

'Mid shouts that hail'd her from the shore  
And bade her speed, the bark is gone  
The dreary Ocean to explore,  
Whose waters sweep the frigid zone ;  
And bounding on before the gale,  
To bright eyes shining through their tears,  
'Twixt sea and sky, her snowy sail  
A lessening speck appears.

Behold her next, 'mid icy isles  
Lone wending on her cheerless way,  
'Neath skies where Summer scarcely smiles,  
Whose light seems but the shade of day ;  
But while the waves she wanders o'er,  
Around her form, they sink to sleep ;  
The pulse of nature throbs no more,—  
She 's chain'd within the deep !

Then Hope for ever took her flight ;  
Each face, as monumental stone,  
Grew ghastly, in the fading light,  
In which their latest sun went down ;  
And ere its disk to darkness past,  
And closed their unreturning day,  
The seamen sought the dizzy mast,  
To catch its latest ray.

All other secrets of their fate,  
From darkness would the muse redeem ;  
Unheard of horrors to relate,  
Which fancy scarce may dare to dream :  
Thus much we only know—they died :  
All else oblivion deeply veils,  
And channels of the waters wide  
That tell no babbling tales.

For there were wishes, longings, fears,  
The sleepless night, and ceaseless prayers,  
Hope gleaming, rainbow-like, through tears  
And doubt, that darken'd to despair !  
Suns, seasons, as they roll'd away,  
No light upon the lost can shed ;  
Their tale a secret till the day  
When seas give up their dead.

## ON THE BULL WORSHIP OF THE EAST.

THE worship of the Bull, now confined to India, was once common over the entire Pagan world. This, the zodiac, at whatever period it be surveyed, and among whatever nation, fully demonstrates.

Of the symbols which compose it, Taurus, or the Bull, is the most conspicuous, inasmuch as it is supposed to have once been the leading constellation; but chiefly, inasmuch as the superstitions connected with it have deeply coloured the whole stream of antient mythology.

Most of the conquests of animals ascribed to heroes, belong to Hercules, under other names, as Jason, Theseus, Cadmus, Perseus. They originate, most probably, in Egyptian illustrations of the zodiac, or mystical paintings of the sun passing through the signs, which were misunderstood, or misinterpreted, by the Greeks.

In Grecian fable, Hercules was represented as conquering the Elean bull. In Persia, he was pictured as *Mythra Victrix*, grasping a bull with one hand, and in the other holding a sacrificial knife. Jason the Argonaut, who killed the bull with brazen hoofs, and thereby obtained the golden fleece; Cadmus, whom a bull conducted to the site of Thebes; and Theseus, who slew the Minotaur, (the Grecian Apis,) are only modifications of the same story which describes the Grecian Hercules as triumphing over the Elean bull.

The mysteries of Apis, as this sign was called in Egypt, were the oldest in the world, and entered into the religious dogma of most, if not all, of the primeval nations. The antient Persians pictured the first man with a bull's head. The Hindoos antiently and still venerate the same character. One of the Hindoo avatars pictures the bull-man perishing in the flood. A bull-headed human form is frequent among Javanese monuments; and agrees precisely with similar figures of those of Egypt. The monuments preserved by Hyde leave nothing uncorroborated on the same subject, as far as regards the mythratic rites. The god Osiris was sometimes portrayed with a bull's head, sometimes with bull's horns. Among the Syrians, Astarte was a human figure with a bull's head; for she was male and female. So, among the Phenicians, their chief god, Moloch, bore the head of an ox annexed to the figure of a man. The Greek Osiris, namely, Bacchus Bugenes, or Tauriformis, was represented, as the name imports, by the same form. So was the Cretan Minotaur. The golden fleece and golden apples of the Hesperides were equally guarded by bulls. An apple formed into the shape of a bull was sacred to Hercules. A bull's head hung upon a tree was a symbol appertaining, as appears from Hyde, to *Mythra Victrix*. The head of Bacchus Tauriformis was hung upon trees, as Spence instances, in order to produce fructification. Even the Druids devoted two milk-white steeds to the sacred mistletoe. The same traditional veneration exhibits itself repeatedly among the Jewish antiquities. The Jews had scarcely left Egypt, when they recurred to the worship

of the calf Apis; and, as it was their first offence, so it adhered to them till their punishment and dispersion. "Thy calf, O Samaria!" says the denouncing Prophet, "has cast thee off." The chimerical bulls of the Hebrews, or cherubim, (as they named them from the root to plough,) are evidently of Egyptian origin. The twelve bulls of Solomon's brazen sea, arranged in threes towards each cardinal point, have a precise Egyptian counterpart in the twelve bulls, arranged also in three, round the apex of the Heliopolitan obelisk; and, like the former, quadrate with the cardinal points. The behemoth and leviathan of the Rabbins are the Apis, or Osiris, and the river-dragon, symbolized by an ox, as well as the half-tribes of Manasseh and Ephraim; and it was to him, under this symbol of behemoth, that the blessing of the "antient mountains" was promised, the "thousand hills" of Esdras, and the "Elysios colles" of Hesiod. To the last, according to Esdras, was assigned the ocean, and thence the Scandinavian sea-snake. The leviathan and river-dragon were both to receive their fatal wound. According to the Rabbins, behemoth, or the ox, is, at the consummation, to be divided among the elect. By this was evidently implied the partition of Paradise, or of the whole earth in a state of Paradise, as by the wine of Adam to be then produced, was meant original prosperity; for grapes and prosperity are synonymous in Hebrew. This rabbinical fable is very singular, inasmuch as Osiris Apis appears to have been similarly separated into various divisions during the mysteries, which divisions were subsequently rejoined, with one exception; a type not not to be mistaken of the expected restoration of mankind, as one family, to pristine innocence. In the mysteries of the Grecian Osiris, or Bacchus, the same remarkable feature was preserved,—a bull being torn to pieces by the devotees. Among the hieroglyphics, the thigh of Apis is frequently seen; Belzoni found one in the tomb of Psam-mis. We take it, as the ox was a symbol of the first race of men, perhaps of antediluvian man, that the thigh was a symbol of the choicest part of the earth, or Paradise; hence it was always set apart for the gods, and considered sacred. The thigh was the region sacred to oaths. It continued the sinew forbidden to be eaten by the Jews, and the incorruptible bone, or luez, which the Rabbins supposed to be the germ of a restored future corporeal life. Paradise is called Meru by the Hindoos, which is the root of the Greek word thigh; and the Brahmins seat their tenth world of gardens in the thigh of Brahma.—It is worthy here of remark, that pots of flowers, similar to what were called the gardens of Adonis, (see Coptic manuscript in Denon,) were offered to the ox; neither will it be unimportant to add, that apples and apple-trees were connected with the mysteries of Apis.

What is human reason to infer from all this singular analogy of facts, and images as singular? Our inference is short: that the whole is a hieroglyphical portraiture (of what Moses described in words, *viz.*) of the fall and expected restoration of man, with some dark shadowing of the means through the death of a second Adam, leader or teacher, [ox, in Hebrew.]

There is nothing in the least illogical in our supposition, that Ham, whose name Egypt bears to this day, and who lived with the antediluvians, should have handed down the creed and traditions of the first men to his children, in the only language they possessed; nor is it wonderful, from the metaphorical nature of that language, that these traditions should become distorted, and vary from the true and simple statement of Moses, himself an Egyptian scribe. Neither the general coherency nor peculiar variations of these traditions, ought therefore to excite the least surprise. But it is incumbent on us to proceed to a more elaborate proof of our hypothesis. Our first position is, that Apis was a symbol of antediluvian man; when connected with apples, his paradisiacal state was implied; when connected with water, scyphi, crescents, &c., his partial destruction by a deluge.

It is scarcely necessary to argue that all the Pagan fables of apples are referrible to the forbidden fruit; those, for instance, of Atalanta, of Hercules, of Discord, and the rival goddesses. Let the reader examine these fables, and judge for himself.

It is calculated, that the vernal equinox, at the creation, was in the first degree of Taurus. Two thousand years after, Aries, by the precession of the equinoxes, occupied its place, and Aries is, accordingly, the first sign on the most antient of the zodiacs. Taurus was, therefore, an apt and legitimate symbol of antediluvian man, and we may presume that the mysteries of Apis related to that state.

The mythological account of the fall differs little from that of Moses. According to Plato and his disciples, man fell when he descended from his intellectual to a sensual state, and multiplied himself. This was apparently Milton's idea. It was the version of a large portion of the early Christians, and thence the celibacy of the monastic orders. Moses, therefore, may have employed a delicate metaphor to express what Plato philosophically inferred, and the double interpretation of fruit and fruition at this day warrants the inference. The Mohammedans say, that incontinency was the cause of the fall.

Another Pagan fable bears a remarkable coincidence to the narrative of Moses. The Pagan Eve, Persephoneh, (which name signifies lost fruit,) is condemned to shades, or death, for eating a portion of forbidden pomegranate.

Numerous pictorial and symbolical representations of the same event may be referred to. We apprehend that, according to the laws of hieroglyphical writing, the narrative of Moses could not have been more closely adhered to. We will endeavour to refer to these pictorial descriptions in the order of the Mosaic account.

Montfaucon exhibits several instances of the Bull-man, or first parent, crowned with apples.

Osiris was represented as enclosed in the thigh of Apis, an emblem of Paradise.

Protonus and Eon, the first man and woman, were described as sailing through space in an egg-shaped vehicle. There are similar representations among the hieroglyphics.



On one of the Egyptian planispheres, exhibited by Kircher, instead of Astrea, who represented the paradisiacal state, there appears a fruit-tree, with two dogs in the branches looking different ways. Now, two cynocephali were symbols of light and darkness, of good and evil.

On a mythraic sculpture, preserved by Hyde, there are two fruit-trees. The first has a scorpion winding round it, and near it a ladder, which was the mystic symbol of descent or fall. Scorpio, on some Egyptian zodiacs, is a serpent; in others, Typhon, depicted as the devil now is, with a serpent's tail, and breathing flames.

In Montfaucon there are many representations of the Hesperian tree, with a serpent twined round it, and a male and female on the opposite sides.

So much for the illustration of the Mosaic theory of the fall. The Hesperian gardens, in fact, were the Pagan paradise, the golden apples the fruit of the tree of life, and the dragon, or seraph, the angel who guarded the way to it. Sometimes, indeed, a chimæra, resembling the Jewish cherubim, was substituted for the seraph, or fiery serpent; at others, the golden apples were converted into a golden fleece, and the bulls, (the cherubim of the Hebrews,) with fiery breath, were the guardians. Griffins (a mixed monster, also resembling a cherub) are, in a different hieroglyphical version of the same story, guarding the "treasures of the everlasting hills" promised to Joseph.

Throughout, it is the same Mosaic story, only differently coloured by the picturing vehicle.

It can scarcely be doubted that Jacob, in his blessing on the twelve tribes, alluded to the figures of some Chaldean or Egyptian zodiac. Without we admit this, we must infer that the patriarch uttered complete nonsense. If, as is not disputed, the twelve tribes were signalized by the twelve signs of the zodiac on their standards, they must have adopted them from the circumstances of Jacob's prophecy. In blessing the twelve tribes that were to fill the world, it is not only wonderful that the old patriarch should refer to the twelve signs, but they clearly furnish the most obvious illustration, and the most lasting memorial. Common sense, therefore, is in favour of an argument which has been exclusively referred to Sir William Drummond, but which belongs to Kircher.

The scriptural allusions to Taurus are the following: "His glory (Joseph's) is like the firstlings of the bullock." See *blessings of Moses*. "Ephraim is an heifer." *Hosea*. "And unto Enoch (behemoth, or the ox,) thou hast given one part to dwell wherein are a thousand hills." *Esdra*s. Jacob's blessing on Joseph (according to the reading of Hebraists) is as follows: "Joseph is a fruitful bull by the well, whose children run over the neck. The archers have sorely grieved him, and shot at and hated him; but his bow abode in strength, and the arms of his hands were made strong by the hands of the Mighty One of Jacob; from thence is the shepherd, the stone

of Israel." Now we maintain, that all this is nothing but a correct translation of the antediluvian prophecy, pictorially represented in the figures which accompany Taurus, as extant on the planisphere and zodiac of Denderah. Let us arrange them in the order in which they presented themselves to the eyes of Jacob, the inspired interpreter, of an imagery not improbably invented by his great antediluvian ancestor, Seth, the Thoth of Egypt.

A bull, and near it an eye in a circle, (ain, means an eye, or a well.) Another representation of the seven Atlantidæ on the neck of Taurus. Another representation of a bull recumbent, and shot at by an archer. Two more characters expressive of the same violence. A bull beheaded. A chimerical figure of the head and thigh of Taurus held chained by Typhon, while another personage transfixes it with an arrow. To this the allusion of the Brethren, or Gemini, the next sign, also applies. "Cursed be their wrath, for it was cruel, for in their anger they slew a man, and in their self-will they houghed an ox." In fact, "violence" characterizes the whole of these two starry habitations. Next we have the Bowman rising from the decapitated Taurus, and destroying the power of Evil as Scorpio. The strange metaphor, the "arms of the hands," is doubtless taken from the front limbs of the chimæra, representing Sagittarius having human hands. Next to Taurus is the Shepherd, with his pastoral staff, the Shiloh elsewhere noticed, and directly beneath, Agathodæmon, on a square stone.

Symbolic mementos of man's predicted restoration, and the means to be employed for effecting it, are equally common as those which record his fall. But as these will more naturally occur during the consideration of other portions of the zodiac, we shall confine ourselves, at present, to such only as relate to Taurus.

Apis was drowned at particular periods, as a symbol of the flood; as a symbol of the anticipated hope of the antient world, he was buried in a sarcophagus; and, on the fourth day, a new Apis was led forth to the people, as a pledge of the resurrection.

It was by a violent death of the chief god (such was the dogma of the earliest priests) that man was to be restored. A bull was torn to pieces at the Bacchanalian orgies. Apis was cut in pieces, as was Osiris, whom he represented, before he was deposited in his three days' sepulchre. The thigh was set apart as something mystical and sacred. A vast number of evidences of this are to be found in the sculptures of Belzoni's tomb. As for the head, the curse of all evil was laid upon it in Egypt, as it is now in India. On the zodiac of Esneh, the head and thigh of Apis are on the point of being pierced by a figure with an arrow. At Denderah, a bull is represented shot at by an archer. In the centre of the planisphere of the latter place, is the thigh of Apis, and Typhon standing beside it with a sacrificial knife.<sup>1</sup> The archer at Denderah is a centaur, and thence, perhaps,

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<sup>1</sup> Among the Mythræic sculptures is a head of Taurus hung on a tree, with a quiver of arrows impended beside it.

the name, which means to pierce a bull. It is indeed a remarkable fact, that the original Sagittarius is a winged and crowned figure, having a bow, and with the faces of a man and a lion (precisely conquering Messiah of the Apocalypse). This was the golden-winged divine dove of Aristophanes. The half-human figure in question is represented as arising from the decapitated body of Apis, and, beyond a doubt, was a symbol of the resurrection of Horus, the second person of the Egyptian trinity, who is called by antient writers the Mediator, who generally grasps a fac-simile of the Christian cross, and who is represented sometimes nursed upon the lap of Virgo, and at another, piercing Tryphon, or the great dragon, with his finally extirpating arrows. It is not, therefore, unlikely that, as the terminating scene of the mysteries, Horus, or Chrysaor, was represented rising in glory from the sarcophagus in which the several fragments of Apis had been deposited.

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ANACREONTIC.

Yes! I'll revel in joy, and will drink deep of bliss,  
 While my brow with a wreath of green myrtle I'll bind;  
 And though Cynics may rail at a world such as this,  
 Still I fancy no fairer or brighter they 'll find.

For since Mahomet's heaven is fabulous quite,  
 And flown are his Houries, and faded his bowers,  
 'Tis in vain that you look through the stars of the night,  
 For a planet more splendid than this one of ours.

Where—where will you find in that star-studded sky,  
 Although thousands of worlds are seen glittering there,  
 A gleam from above like the fair Rosa's eye,  
 Or a tendril of gold like a tress of her hair?

Ah! no where; for wine, and for mirth, and for love,  
 I am sure that no happier world has been known!  
 And should others discover a dearer above,  
 E'en let them lay claim to the spot as their own.

W.

MR. CARRINGTON'S DARTMOOR.<sup>1</sup>

HAVING lately noticed the 'Banks of Tamar,' a poem by the same author as the work before us, we shall perhaps be liable in some measure to repetition, as both poems are of the same class, and not very unequal in merit. It is, however, much better that reviewers should risk a little critical tautology, than that works deserving of praise should pass unregarded into the world. We shall therefore enter at some length into the merits of 'Dartmoor,' a poem which, in many points of view, deserves the notice of the public.

Mr. Carrington is a schoolmaster of Devonport. His laborious profession, unfortunately too little respected in this country, and seldom either pleasurable or lucrative, usurps unavoidably the greatest portion of his time, and shuts him out equally from company and from elegant study. However, besides the reputation his poetical talents have procured him, he enjoys in his native town the much higher reputation of virtue and integrity.

It is very seldom advantageous to an author when he happens not to occupy a commanding position in society, to have his domestic circumstances made known. Few love genius for its own sake, and they are not numerous who can duly appreciate its productions. The greater number suppose, with some show of reason, that minds oppressed and made gloomy by privation and misfortune, or distracted by incessant cares, are ill capacitated to nourish those lofty sentiments and splendid fancies which constitute the soul of poetry. But they are mistaken. Sympathy is best excited by similarity, and the man who most resembles mankind in his joys and sorrows, in his misfortunes and successes, in his attachments and antipathies, is best calculated, if he possess genius, to rouse and delight the feelings of the public. Besides, enthusiastic minds, deprived of the envied material, pleasures bestowed by riches, bend their energies toward a new order of delights, the delights of study and meditation, and in these most commonly discover more than compensation for the loss of the others. It is thus that poor men have often become poets, and not, as is ignorantly imagined, from the vulgar desire of gain.

Notwithstanding, when artificial refinement has reached a certain pitch, the general feeling is against authors who are not wealthy. To mingle with fashionables, and converse with the great, becomes necessary to success; or, at least, it is thought indispensable to seem to have done so. The unknown bard may start up suddenly, and chaunt his wild dithyrambic to a tribe of Indians or Arabs, and he will be listened to, before any body knows who was his father, and whether he had a tent to cover him, or made the clouds his canopy. In civilized coun-

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<sup>1</sup> Dartmoor, a Descriptive Poem, by N.T. Carrington, author of the 'Banks of Tamar.' 8vo. London, 1826.

tries, the surest way to procure a favourable audience is to carry your genealogical tree, if you have one, in your hand, or to speak oracularly from behind the shadow of a borrowed name. Not that such artifices will confer reputation; they cannot do that; but they procure a hearing, which is difficult when so many desire to speak.

Homer, it is said, was a strolling rhapsodist; Shakspeare was an actor; and Milton himself earned his bread, at last, by the profession of schoolmaster. In worldly circumstances, therefore, Mr. Carrington is upon a par with these; yet, we are quite certain, if 'Dartmoor' had been ushered into the world as the offspring of some 'right honourable' pen, it would have been purchased, perhaps read, with much more emotion than it will ever excite as the work of N. T. Carrington, schoolmaster of Devonport.

Poetical day-labourers or ploughmen make inroads upon Parnassus by another foible of the public,—their propensity to admire everything singular. And it is indeed singular when, from the dregs of civilized life, a mind full of enthusiasm, lofty fancies, and profound emotions, springs up. In such cases, ordinary fame is little short of injustice. The public should know the degree of difficulty overcome, that the reward may be proportioned to it. But even in such cases the pride of genius, made more haughty and self-confiding by misfortune, and gathering energy from the dangers of its position, is rarely disposed to ask any thing of compassion or importunity, and oftener prefers sinking with all its hopes into oblivion, to the chance of gaining a name by crouching to insulting patronage.

But we must cut short these reflections, which every reader will pursue in his own way, and come to the more immediate subject of our article, descriptive poetry, and 'Dartmoor.' There are peculiar charms in poetical descriptions of rural scenery, but they are of a very fleeting and fugitive nature; a kind of impatient hurried delight, that passes over the mind, like a burst of sunshine pursued by the shadows of the clouds over the fields in April. Attempt to prolong it beyond a certain point, and you destroy it entirely, as every reader, conversant with such poetry, knows. But, notwithstanding, as there are poets unequal to the invention of a probable fable and natural characters, who yet possess warm fancies and vivid sensations, a new species of poetry has been invented to give scope to their peculiar genius. In this kind of verse the poet places himself like a mirror before the face of nature, and the reader is requested to contemplate in him the various shows and images which move over his fancy; or, introducing himself as a kind of shadowy presence, he seems to take the reader by the hand, and say, "Come, put aside the world for a moment, and taste with me my reflections, my sentiments, my feelings, as this shifting pageant calls them up one after another!" In this manner, Lord Byron, in his 'Childe Harold,' conducts us over the half of Europe. Never thoroughly aware of what we are doing, why we are moving about, or who or what is travelling with us, we hurry along over sea and land, city and solitude, moralizing with misanthropical gloom, talking of clouds and ruins, battles, courtizans,

tombs, skulls, and death; and then we drop our companion at the end of the fourth canto, without knowing any thing more about him than when we first heard him pouring out his "Good night" from the departing deck. In this way we enjoy all the pleasant sensations, and wise or petulant reflections excited by a walk in the country or a journey to Rome, without the corresponding weariness and peril.

Descriptive poetry is of course delightful in proportion to the art with which the beautiful features of the scene described, and the associations connected with them, are brought before the view of the imagination. Nothing in the world can be easier than to talk of birds, and flowers, and rivers, and dells, and woods; but it requires great force of fancy, and the profoundest art, to compose an intelligible, beautiful, ideal landscape. This is a critical canon which, we dare say, very few will be willing to admit; for as all experience some degree of delight in contemplating the beauties of the earth, as many as the poetical æstrum has invaded, imagine, without the least misgiving, that they can describe what they feel. But, undoubtedly, the capacity to enjoy, and the ability to describe, are widely different. Let the reader try to remember how many poets he has known possessing this power; he will find the number to be very small, and that even the best are often unsuccessful. Homer seldom paints rural scenery: succinct sketches of gardens, shores, creeks, promontories, or mountains, dashed off with a few golden epithets, or connected with some local fable, are found in him; but he hurries rapidly over them, to carry on his action, and leaves as little inclination as leisure to linger on rustic images. Virgil and Theocritus, poets of a more tranquil genius, and ambitious of softer beauties, breathe more of the fields and woods; and in painting some of their lovely little scenes, they seem to have dipped their language in the colours of Claude Lorraine. It is, however, a curious fact, that the ancients, properly speaking, had no *descriptive poetry*. Neither was *landscape-painting* known among them before the time of Augustus, when Ludius, according to Pliny, first cultivated the art. A critic, very conversant with antiquity, observes: "Descriptions of rural objects in the ancient writers, are almost always what may be called *sensual* descriptions. They describe them not as *beautiful*, but as *pleasant*; as pleasures, not of the *imagination*, but of the *external senses*." Plato relates of Socrates something very like what Boswell tells us of Johnson: the great Athenian did not love the country; he could, he used to say, "learn nothing from fields and trees." This taste was very general among his countrymen, who, says Winckelmann, "did not amuse themselves with painting inanimate objects, merely calculated to amuse the eye without affecting the mind."

It was reserved, therefore, for the moderns, for Spenser, Shakespeare, Milton, and Thomson, to excel in this department of poetry. In the former three, description, however, though delighted in, and carried to great perfection, is only a subordinate aim; Thomson only has transformed his pen into a pencil, and rivalled Claude. In tak-

ing for his theme the four seasons of the year, with their vicissitudes, he extended before his imagination a boundless landscape, from which he might cull beauties infinitely diversified to transfuse into his verse.

It is an honour to Mr. Carrington that he has chosen to tread in the footsteps of so great a master; not servilely, but from kindred sentiments and feelings. He is the Thomson of Devonshire. Simple, earnest, enthusiastic, like his model, he has not, it must be confessed, those vast resources of reading and invention which make 'The Seasons' classical and sublime, and awake in us a thousand youthful associations, carrying us back to the heroic aspirations of our school-boy days. From much of this kind of interest Mr. Carrington was shut out by the nature of his subject,—obscure, confined, and barren of historical celebrity. The luxuriance of nature, and the beauty and pomp of arts and ruins, he could only introduce by way of comparison. There are no pyramids, no obelisks, no aqueducts, or triumphal arches on 'Dartmoor,' but, instead, the rude cairn, the rocking Logan, and the shapeless Tor. A railway, also, there is, but although useful, nothing could be more unpoetical. 'Dartmoor,' then, is a barren subject. But, however hopeless it may be in an agricultural point of view, and we are inclined after all to fear that it will never be celebrated for fertility, we can assure our readers that Mr. Carrington's pen has reaped a harvest of poetry on its dreary ridges.

No analysis can be given of the poem; at least none that would be at all satisfactory; for it consists of a series of local descriptions, sentimental reflections, regrets, hopes, reminiscences, beneath which no particular substratum is spread. The author journeys over the moor, pauses, now at a tor, now at a ruined chapel, now at a river or a tomb, and whether journeying or pausing, he pours out his fancy around him, and brightens the landscape with metaphors. This is the most that can be done with descriptive poetry, which, in whatever hands, is apt, from want of human interest, to grow tedious in the long run. To prevent, as much as possible, the approach of languor, the author has introduced man and his works as often as he could; for though a great idolator of nature, like most contemporary bards, he is fully aware that without man Apollo himself would be able to make but a dull poem. In truth, 'tis man's footsteps chiefly that render nature herself poetical. If no sail had ever fluttered on it, the ocean would be stripped of more than half its sublimity. We should then know no more of it than we saw. 'Tis navigation that has poured its immensity on the soul, and carried our fancy to the empires remote and strange, which the waves before us in their eternal flow have washed and visited. The wastes, in like manner, and mountains, which we tread, our fancy peoples with the generations that once inhabited them, without which they would excite but a short-lived interest.

Sensible of this, Mr. Carrington reverts with great feeling from Dartmoor to the beautiful scenery around his more immediate home. 'The moor,' as our author's commentator, Mr. Burt, familiarly terms

it, asserts its claim, to be sure, to be considered the chief figure in the landscape, but there is reason to believe that the author's partialities are bestowed elsewhere. A man's taste is by no means an innate quality, forcibly influencing his likings and antipathies; it is the result rather of chance or cultivation, and prefers the things upon which the mind has been accustomed to dwell. Consequently, though Mr. Carrington compelled his muse over the wilds of Dartmoor, he could not prevent her turning a longing eye towards the myrtle shores and umbrageous bowers of Mount Edgcumbe.

We shall not illustrate what we have been saying by extracts, as we hope all those sufficiently interested by our remarks will examine the poem for themselves. Nevertheless, two or three very pleasing passages, which we noted in going through the work, we *shall* copy, as specimens of what the reader may expect to find in it. The author thus complains of his academic captivity, in an apostrophe to Spring:—

Who can bathe  
His brow in thy young breezes, and not bless  
The new-born impulse which gives wings to thought  
And pulse to action? But for *me*, the gale,  
That wantons with the flower and fans the bud  
Into the living leaf, and wafts around  
Fragrance and health, breathes not. The bird which sings  
His touching lay of liberty and love  
To thousands, sings not to my ear. The hymn  
Of earth and sky—the breeze, the flower, the brook—  
All sights and sounds delicious, cheering still,  
From morn to eve, the blushing vernal hour—  
Are for the joyous many who can stray  
At will, unshackled by the galling chain  
That Fate has forged for Labour's countless sons—  
A chain unbroken and unloosened oft  
From youth to toiling age, save just to taste  
How sweet a thing is liberty;—to mark  
How green the earth,—how beautiful the sky,—  
How all-magnificent the sea,—and wear  
The hated bonds again. On me the sun  
Has seldom shone—a freeman;—free to rove  
At morn, and hear the feathery nations pour  
Their strains full-hearted, ere the ray has drank  
The dew-drop of the vale;—to hear the rills  
In joyful tumult rush adown thy slopes,  
Devonia; and with lightsome step to scale  
Thy hills green-breasted, and delighted view,  
The infinite of prospect;—free at noon,  
By fringed brooks, in meditative mood,  
To rest where nothing breaks the hallowed peace  
But lapse of living waters;—free at eve,  
To tread some sun-illumined ridge, and gaze  
Enraptured on the cloud that sails the west  
With hues celestial-tinged, and hear the song  
That bids the day farewell: how seldom free,



Through life's dull, dreary, heartless round, at night,  
 Dear night !—to draw my curtain on the world,  
 Invoke the muse, commune with ages past,  
 And feast on all the luxury of books.

The moor, it seems, sullenly refuses to be enlivened by the spring,  
 for, at the outset, the author thus addresses it :—

Though the spirit of the Spring  
 Breathes on thee, to the charmer's whispers kind  
 Thou listenest not, *nor ever puttest on*  
*A robe of beauty.* Yet I love to tread  
*Thy central wastes when not a sound intrudes*  
*Upon the ear, but rush of wing, or leap*  
*Of the horse waterfull.*

And again,

Thou—wearest still,  
 Through centuries, upon thy blasted brow,  
 The curse of barrenness.

In the midst of 'Dartmoor,' where we imagine ourselves farthest from the intrusion of vulgar prejudices, amidst silence and solitude, we find the poet suddenly seized with a panic at the sight of the French prison, and flying off into a kind of implied encomium on monarchical France, and an invective against the revolution. Now this, we think, is wholly inexcusable. If Mr. Carrington wished to speak of the revolution, remote as the theme was from his proper subject, he was undoubtedly at liberty to do so ; but then it was incumbent on him to inform himself of the circumstances that really distinguished it, and not to give into the silly hue and cry raised against it by priests and hirelings. He really supposes that the French people have been deteriorated either in character or condition by their revolution. Previous to that event, *Frenchman* was synonymous with *slave*. The blood shed by the Jacobins washed away, at all events, that stain from the land ; and, therefore, it is an extreme weakness, to say the least of it, to give into the worst prejudices propagated by fraud and fanaticism against the revolution in France. We could not refrain from thus expressing our disapprobation of this unhappy blot in a really clever and interesting poem ; and, supposing that the work should come to a second edition, which we hope it will, we would advise the author to expunge it entirely ; or, if he really admires legitimacy, to say no more in its favour than is strictly warranted by truth.

We willingly quit this theme for something more pleasant. Perhaps the reader may remember Anacreon's beautiful fancy on the origin of the rose :—

Μακάριον Θεῶν ὁμιλος,  
 ῥόδον ὡς γένοιτο, νέκταρ  
 Επιτέλεις, ἀνέτειλεν  
 Ἀγέροισιν ἐξ ἀκάνθης  
 φυτὸν ἡμέροτον Ἀναίου.  
 ὠδή γγ'.

The following thought is hardly less beautiful :—

And in the pleasant grass  
That smiles around, fair waving in the breeze,  
Delicious hues are seen innumerable;  
*As if the rain-drops of the fresh wild Spring*  
*Had blossomed where they fell.*

The evening sky, a never-failing theme in poetry, is thus gorgeously depicted :—

The zenith spreads  
Its canopy of sapphire, but the West  
Has a magnificent array of clouds;  
And, as the breeze plays on them, they assume  
The forms of mountains, castled cliffs, and hills,  
Deep-rifted glens, and groves, and beetling rocks;  
And some, that seem far off, are voyaging  
Their sun-bright path in folds of silver;—some  
In golden masses float, and others have  
Edgings of burning crimson.

The most striking defect in the poem is the versification. It is languid and monotonous, inartificial in its pauses, and too much broken. The author, perhaps, may think us fastidious; but we shall give our reasons. It is a rule applicable no less to blank verse than to rhyme, that the sense and the sound should terminate together; in other words, that the final pause should always be made at the end of a line. Exceptions must be admitted, but this is the rule. Now how has this rule been treated in 'Dartmoor'? In the first ten pages it has been observed *four* times, and broken *thirty* times. This is converting poetical license into a rule, and making a jest of criticism. In the next place, to vary the melody, the line should frequently be commenced with a Trocheus instead of an Iambus, the foot properly belonging to that portion of the verse. Here the author is perversely regular, almost all his lines commencing with an Iambus. But the reader may, perhaps, wish for an example. We shall take a passage at random from 'Dartmoor,' and another from 'Paradise Lost,' that we may illustrate our meaning from the best model of English versification :—

Rested on thee. In sunlight and in shade,—  
Repose and storm,—wide waste! I since have trod  
Thy hill and dale magnificent. Again  
I seek thy solitudes profound, in this  
Thy hour of deep tranquillity, when rests  
The sun-beam on thee, and thy desert scenes  
To sleep in the unwonted brightness,—calm  
But stern :—for, though the spirit of the Spring  
Breathes on thee, to the charmer's whispers kind  
Thou listenest not, nor ever puttest on  
A robe of beauty, as the fields that bud  
And blossom near thee.

DARTMOOR.

Two of far nobler shape, erect and tall,  
Godlike erect, with native honour clad  
In naked majesty, ~~seemed~~ lords of all;  
And worthy seemed, for in their looks divine

The image of their glorious Maker shone,  
 Truth, wisdom, sanctitude severe and pure,  
 Severe, but in true filial freedom placed;  
 Whence true authority in men : though both  
 Not equal, as their sex not equal seemed ;  
 For contemplation he and valour formed,  
 For softness she and sweet attractive grace :  
 He for God only, she for God in him.—PARADISE LOST.

To say nothing of the construction of the remaining part of the verses, here are two passages, each of twelve lines, the first exhibiting five lines out of twelve beginning with a long syllable, whereas the second in the same number of lines, has only two beginning with a long syllable.

The etchings, by Mr. Rogers of Plymouth, which adorn the volume, are many of them very beautiful, particularly Meavy Vale, and Wid-decombe Church. Perhaps etching may be better suited than line engraving to convey a true idea of such a region as Dartmoor, bleak, dreary, uninviting, in its general features, though sometimes approaching a softer character, as in the little scene round the church at Wid-decombe.

On the whole, we can truly say that we have derived very high gratification from the perusal of 'Dartmoor,' and trust it will meet with that favourable reception which its general merits appear to us richly to deserve.

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#### STATISTICS OF THE CHINESE EMPIRE.

THE empire is divided into twenty provinces. There are reckoned to be 185 capitals, and as many large towns of the second order.

The taxes and duties amount annually to a sum of about thirteen millions and a quarter sterling; 1,912,000 tons of corn and rice are also deducted for the subsistence of the troops, and supplying the public granaries.

The civil service costs only one million and a half sterling; but the military service is six times as expensive, amounting to upwards of eight millions sterling. Among the articles of the Chinese budget, there are found eight millions for the keeping in repair of the Yellow River, two millions for the gardens of Yuen-Ming, and large sums for the entertainment of the ministers of state, of the first and second class, to the number of 3525.

The revenue of the state in money and produce, is valued at about thirty millions sterling. The duties of entry and exportation on English and American vessels received at Canton, add to this sum nearly another million. The revenue of England, which only reckons twenty-two millions of inhabitants, rose, in 1824, to a sum which was one half more than that of the whole empire of China, which, according to the latest census, contains 146 millions of inhabitants.

That part of the population which lives on the water amounts to

two millions; the civil employments do not exceed 9611, and the military officers 7552. The army forms an enormous mass of 1,263,000 men, of which 822,000 belong to the infantry, 410,000 to the cavalry, and 31,000 to the marine.

It is stated that the expenses of the state being much greater than its revenues, the Chinese endeavour to make up the deficiency by the sale of places; and it appears that want makes them less scrupulous as to the character of those to whom they confide them. They even neglect to exact from the purchasers the certificate which was formerly demanded of them, to prove that they had no spies, jugglers, or prostitutes in their family. Two ministers of state have addressed remonstrances to the Emperor on this abuse; they have shown him the extortions practised by magistrates thus appointed; they have made it appear that the sale of all the places does not produce more in ten years, than is spent in one single year for the palace of the Empress; they have made out a list of all the sums that it is possible to economise, and have placed in the first rank about 40,000*l.*, which is required for the maintenance of the imperial palace; about 45,000*l.* granted annually to the temples of the metropolis; 80,000*l.* employed in the embellishments of the royal gardens; 200,000*l.* forming the appointments of those employed in these gardens; and 100,000*l.* spent in the presents made by the Emperor to the ladies living in these gardens. "Were we," say these honest and intrepid counsellors, "to be condemned to die beneath the axe, or to be thrown into a caldron of boiling oil, we would maintain that this money, if it were better employed, would make our country flourishing, and contribute to its prosperity." The Emperor, far from punishing these two ministers for their boldness, has declared that they have faithfully performed their duty, and that they resemble, by their love for their country, those statesmen whose devotedness has made them famous in antiquity.

The consideration of the numerical statements contained in the documents from which we quote, furnish the following results, which are unpublished, and which show more clearly the state of the empire of China than the most voluminous books:

The population of this country is equal to three quarters of that of Europe. It is so great, that the land will not suffice to contain it, but one person in seventy-one is obliged to take up his abode on the water. The administration is so simple, that there is only one civil employment for 14,600 persons. The taxes in money and in produce do not amount to the value of three shillings for each individual. The army consumes, by the expenditure which it requires, much more than a quarter of the revenues of the state. It is nevertheless not sufficiently numerous to have more than one soldier for 100 individuals, or one for twenty-five men capable of bearing arms.

By a remarkable singularity, there are so few officers to command the troops, that there are reckoned to be only one for 156 soldiers, cavalry, or marine. The organization of the army is such that the cavalry forms half of it. The marine constitutes only a fortieth part of the forces of the country. In deducting the tax in produce, the

resources of the state are limited to less than fourteen millions, or much less than two shillings for each individual. This numerical statement, which bears witness to the riches and power of the people, is in the proportion for each inhabitant in Russia of about seven shillings; in Poland of eight shillings; in Germany of thirteen shillings; in Denmark of sixteen shillings; in France of twenty-five shillings; and in England of sixty-two shillings, per annum.

It is a remarkable thing, that the sovereign of the Celestial Empire, who reigns despotically over a population six or seven times larger than that of the British isles, and who can, according to his pleasure, cause his ministers to be thrown into a caldron of boiling oil, cannot dispose of the most moderate sum without creating a deficiency in the treasury, and without raising an opposition, which braves with impunity the axe of the executioner.

## STANZAS.

HAVE I not loved ! lov'd thee alone,  
Through peril's frown, and sorrow's moan !—  
This faded cheek and sunken eye,  
Betray how true and tenderly.  
The homage of my soul was bent,  
Without one smile by pity lent,  
To thee, the ruler of my fate,  
To thee, with brow of scorn elate.  
Yes, I have loved, without a ray  
Of hope to light my shrouded way.  
When lofty thoughts and fortune smiled,  
Thy image dear my soul beguiled,  
From darings of ambition high,  
To home's soft scene of sympathy.  
When all around was bleak and drear,  
And friends were cold, no solace near,  
Thou wert the lone and lovely Star,  
Whose beam broke on me from afar,  
And sooth'd the eye that else had wept,  
And from despair my spirit kept.  
Gone is its light ! and darkness now  
Invests my path where'er I go ;  
Dejected, withering, and alone,  
The hopes of youth for ever flown,  
Through life I wander joylessly,  
Without one human sympathy.  
There is a spell beyond control,  
Which scathes and desolates my soul ;  
A quenchless fire this heart consumes,  
That ne'er its pulse of joy resumes ;  
There is a presage of the tomb,  
That urges to the final doom ;  
And o'er the wreck it melts one tone,  
'Tis but a dirge for rapture gone.

Calcutta.

JANET.

CONSIDERATIONS ON HINDOO LAW, AS IT IS CURRENT  
IN BENGAL.

BY THE HON. SIR FRANCIS WORKMAN MACNAGHTEN, KNT.

*To the Editor of the Oriental Herald.*

SIR,—The author of this work has, in his Preface, justly claimed for it the merit of “being the *first* attempt which has been made to simplify *Hindoo* law; to separate its practical parts from the theory and controversy with which they were intertwined or confounded.” It is not only the “first,” but it is a successful attempt to give a full and clear exposition of the Hindoo law relating to real and personal property, as far as it may be now considered to be fixed, and of the controversies that are maintained on points not yet determined. The argumentation is generally acute and satisfactory; the insight into Hindoo manners, customs, and superstitions, curious and interesting; and the greater part of the work (the whole of the first six chapters) more calculated pleasingly to engage the attention of the reader than could have been expected from the nature of the subject. The examination of an elaborate but erroneous judgment pronounced by Sir Thomas Strange, as Recorder of Madras, turning on the construction of a will and the validity of an adoption, extending from page 186 to page 228, may be particularly referred to in justification of a favourable testimony to the judicial powers displayed in this work.

Nevertheless, the title, ‘*Considerations on Hindoo Law*,’ seemed to promise something more than an argument as to what that law is, without any discussion respecting its origin, tendency, and susceptibility of improvement; and some disappointment must be experienced on finding that even the Preface is solely occupied in asserting the uncertainty which pervades every part of the Hindoo law, and the endless confiction of equal authorities, for which he proposes no more expeditious remedy than what may ultimately result from “a series of adjudications” in the Supreme Court. By this process, he observes, “we may hope, *in time*, to cleanse the system of its aggregated corruptions, and to defecate the impurity of ages.” But since the benefit of *certainty* may be obtained without the delay and expense of accumulated litigation, and since legislative provisions may be expected to be founded on principles more consistent with reason and utility, (respect being always had to invincible prejudices,) than the technical analogies which forensic contention would elicit from the contradictory dogmas of “holy sages,” let us see with what plausibility Sir Francis Macnaghten deprecates the intervention of legislation, and seeks to persuade Government to abdicate its most important function. Sir Francis says, (alluding to his own publication,) “It did not require much sagacity to discover that an attempt of this nature must be displeasing, because it may be injurious to men whose importance and profits depend upon the obscurity of the laws which

it is their business to expound:"<sup>1</sup> that is, to *pundits*. But have not *lawyers* the very same interest in resisting the more comprehensive and efficacious "attempts" of the legislator? Must not his dear enunciations and authoritative explanations be "displeasing" to them "whose importance and profits depend upon the obscurity of the laws which it is their business to expound"? In fact, most of the objections urged by Sir Francis against leaving so much power in the hands of *Native* interpreters of the law, are more or less applicable to those *British* Judges (whether in the King's or Company's service) who deprecate the assistance of the legislator in administering a law, the state of which Sir Francis thus describes: "In truth, it is difficult, if possible, with the purest intentions, to come at justice by the *Hindoo* law. Much of it is now obsolete, or declared to be inapplicable to this age of the world. Research is productive of little more than perplexity; the conflict of lawgivers is endless, and they can never be reconciled. Some *pundits* will prefer one text writer, and some one commentator to another; some will prefer the text to the commentary, some the commentary to the text; some will give their opinions, taking the text and commentary together; and some will pronounce the law in an utter regardlessness of both."<sup>2</sup> Thus "the interpreter of an ambiguous or equivocal ordinance becomes a legislator at once";<sup>3</sup> and "ministers of justice ought not to be makers of laws." Yet Sir Francis Macnaghten strenuously contends that there should be no other makers of laws; and will by no means consent that legislation should be taken out of the hands of *British* "interpreters of an ambiguous ordinance," and "ministers of justice!"<sup>4</sup>

Of the advancement hitherto made by this mode of legislation, take the following specimen: "How does the account of authorities stand? We have *in favour* of the right (of unequal distribution of ancestral immoveable property among sons) a Judge's decision, and that decision confirmed on appeal to the Governor-General in Council. We have the decision of a registrar, that decision confirmed by a Judge, and the two established on an appeal to the Sudder Dewanee Adawlut. *Against* the right, we have the decision of a provincial Court of Appeal, but that decision reversed by the Sudder Dewanee Adawlut. In addition to this one reversed decree, we have the joint opinion of four *pundits*, upon which the *remark* on the last case which came before the Sudder Dewanee Adawlut appears to have been founded." (p. 302.) "Such occurrences as these I have spoken of, cannot but make us think it the more necessary to establish [by the authority of judicial decisions!] the leading principles of Hindoo law, and make us the more anxious to render the property and the rights of a people secure. It is melancholy and disheartening to know that we are to be deprived of the only benefit which the evils of litigation can produce, and that nothing is to be fixed by the most

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<sup>1</sup> *Ibid.* p. xv.

<sup>2</sup> Preface, p. iv.

<sup>3</sup> *Ibid.* p. iv.

<sup>4</sup> *Ibid.* p. vii.]

authoritative decisions. If the decrees of our courts are not to have a prospective operation, *where are we to find a rule for our guidance in the transactions of life?*" (p. 303.) "The right of Hindoos to give away certain property while they live, is unquestionable; but that of disposal by will has not been expressly conferred upon them by their law. It has now (if a series of decisions in the Supreme Court can confirm it) been *confirmed by authority*; yet that Court is *not competent to make law*; on the contrary, it is enjoined to administer their own laws to the Hindoos." (p. 241.) "In all laws we find mandates which are abstract and absolute,—which do not proceed from, or lead to, any general principle. These ought to be consistent, because they must be implicitly obeyed. They ought to be wise in themselves, because they do not depend upon reason or upon analogy for their support. When such rules are in opposition to each other, one of them must yield; and *if we have not a legislature to interpose*, nothing but forensic authority can terminate the contest." (p. 107.) Without stopping to notice the singular properties ascribed to these abstract and absolute mandates, which ought to be wise because they do not depend upon reason, it is observable that the priority of right to supply defects and correct errors in the existing laws, seems here, at least, to be conceded to the legislature; and that it is only in the event of the legislature omitting to interpose, (for we cannot suppose the expression to mean, that there may be a country governed by law, which *has not* a legislature to interpose,) that the right accrues to "forensic authority"; that is, to the Judges. But if Sir Francis allows priority of right to the former, the following passage will show that he claims superiority of qualifications for the latter. If the function belongs *de facto* to legislators, it ought, *de jure*, to belong to judges.

"The law," Sir Francis observes, "*cannot be fixed but by an adherence to well-weighed decisions*; for I persuade myself that those who think most deeply, discover difficulties in legislating, which escape the notice of men who are willing enough to undertake the task. Familiar as I am with law-making in India, I cannot but confess that I fear it still. When laws are made at pleasure, they are generally made without requisite consideration. I could point out instances sufficient to prove, that it is much more easy to enact than it is to preserve consistency in enactments. It was well said, [by whom?] that conferring a power upon men in this country to make laws for the *Hindoos*, was a matter of sufficient importance to be the subject of an act by itself. Admitting that something ought to be done, is not the conclusion, but the commencement of our considerations upon this topic. For my part, I should prefer a statute enacting any thing in itself, to one which created legislators, and authorized them to enact every thing. When proposed laws are openly discussed, and meet with every objection in their progress, we have but little to apprehend from them, in comparison with what is to be apprehended from such as may be framed in the closet. The



opinions of selfishness are not always to be disregarded; and admitting the purity of him who legislates in secret, he will proceed with more caution if his projected law is to be made a subject of public discussion. In preparing for debate, he must consider the question in every point of view, and, whatever be the measure of his understanding, the deliberations of wisdom, or even the suggestions of folly may enlarge it." (p. 305.)

If, after all, the intervention of legislators must be submitted to, Sir Francis would on every occasion prefer *whatever* might be enacted by a body of legislators resident many thousand miles from the country subjected to their control, and necessarily knowing little, and caring less, about its circumstances and interests, to every enactment that might proceed from a body of men resident *in* the country for whose well-being they undertook to provide, enjoying all the means of acquiring an intimate knowledge of the objects about which they were required to deliberate, surrounded by those whose persons and properties were to be affected by their resolutions, and, at least, debarred by no physical impossibility from receiving immediate communication of the sentiments of such persons, both before the adoption of a new law, and after its operation had been tried by experience. Surely this is to love "public discussion" too well, for it is to suppose that a debate in a thin House of Commons, supported by half a dozen members, can compensate for the absence of the other concomitants of useful deliberation. In England, the freedom of public discussion exists to an invaluable, though *indefinite* extent; but the other requisites, knowledge and zeal, are wanting and incommunicable: in this country, no other requisite is wanting *but* freedom of discussion, and that *may* be communicated, and cannot be long withheld! The outrageous passion for public discussion, which blinded Sir Francis Macnaghten to the importance of the other considerations which ought to have satisfied him that this country is the proper seat of legislation for all local interests, must seem the more extraordinary, when the reader recollects how large a portion of that blessing might at this day be enjoyed in India, but for an illegal judgment pronounced by *himself*! Had not *his* abhorrence of free discussion among his countrymen in India led him, by the most uncouth paths, to the monstrous conclusion, that the denial of the liberty of unlicensed printing was *not* repugnant to the law of England, the authors of every law, and every measure "framed in the closet," would have been impressed with a conviction that it was destined to undergo, and that prudence, therefore, required that it should be calculated to sustain the ordeal of public scrutiny.

Among the questions on Hindoo law, which are left open to the decision of forensic authority, are the rights of sisters to a share of the estate, upon partition among co-heirs. "By the authority of one writer on the funds, *large or small*, sisters will get a fourth part of them. By the authority of another, sisters will get a fourth part, *if the funds be small*. By the authority of a third, they will not

get a fourth part, but be provided for by marriage, if the funds be large. But how are they to fare by the doctrine of the *Mitakshara*? By it, each sister is to receive the aliquot part of a defined sum. If the number of sisters shall be greater than the number of parts, some must be excluded from a share; and having been informed that each sister shall receive a *fourth* part, we ought to have been told which of them is to be cut out, in case of their number exceeding *four*. If *five* are to divide, each cannot possibly have a *fourth* part of the same thing; and yet, without limitation of number, a fourth part is the proportion to be given to each." "I think I am justified in having said, that, among those clashing authorities, the sister's is a *claim*, rather than a right. I am well pleased that a law so precarious is not prevalent here [*i. e.* in the province of Bengal]. It is more for the advantage of families that their interests should be committed to the pride or better feelings of their families, than that they should be encouraged to struggle through discord and darkness after that which may prove worthless if attained." (p. 105.) But would it not be better to promulgate a well-considered law, which should at once put an end to all "discord and darkness" on this simple question? How many years may elapse, and how much inconvenience be suffered, before universal acquiescence can be obtained, and some clear and equitable rule sanctioned, by a series of adjudications, where reports of judicial proceedings are so seldom published?

Another question, involved in almost equal obscurity and confusion, is, whether a *Hindoo* has the same right to dispose, by *deed* or by *will*, of his *ancestral immoveable* property, which he is admitted to possess over *self-acquired moveable* property? "The question at present," says Sir Francis, "is greatly perplexed; and I wish it were as easy, as it is certainly desirable, to extricate it from difficulties." (p. 293.) This question involves principles of the utmost importance to the moral and political condition of a people, none of which, however, will enter into the consideration, or be allowed to influence the judgment, of those judicial authorities to whom, according to Sir Francis Macnaghten, its decision belongs, and who must seek only for an array of *dicta* and precedents. He foresees, indeed, that its extrication from the difficulties with which it is now beset, will be of no easy accomplishment, and that it will be the fruitful mother of many briefs and much self-acquired property to the brief-holders; yet he will not invoke the aid of the legislature in accelerating the desired result. It may, however, be observed with satisfaction, that the decisions in the Supreme Court have hitherto *affirmed* the right of unequal distribution of property of whatever description.

In England, the subdivision of property is counteracted by intestacy, and promoted by wills. Among *Hindoos*, it can only be counteracted by gifts and wills; and among *Mohammedans*, by gifts only. The unlimited right which *Hindoos* have acquired under the decisions of the Supreme Court, to dispose of ancestral immoveable property by will, is highly valuable, and may be productive of important consequences. I cannot imagine upon what grounds Sir

Francis Macnaughten apprehends, or rather insists, that this right would be overthrown, if the opinion of some pundits should prevail, that *delivery of possession* is requisite to the validity of a gift. If that doctrine were established, he says, "it must absolutely abolish the right of a Hindoo to dispose of his property by will." (p. 295-6.) In the case of a *gift*, it is neither burdensome nor inconveniently restrictive, to require that delivery of possession should complete the transaction; but in the case of a *will*, such a condition would be incompatible with the exercise of the right.

M. B.

Bengal, August 1825.

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NOTE OF THE EDITOR.

Though we have not yet seen Sir Francis Macnaughten's work, we can see by his Commentator, at least, that he has totally mistaken the question as to Hindoo wills and deeds of gift. The fact is, as stated by Sir Thomas Strange, (See 'Oriental Herald,' Vol. VII. pp. 290, 293,) that the Hindoo law (uncorrupted by British lawyers) "knows no such instrument as a will, or any power in the owner of property so to dispose of it." But that law admits of a deed of gift, *inter vivos*, of the possessor's personal property, or his own share of the ancestral property. From this admitted principle legal chicanery has deduced the right of making posthumous *gifts* (falsely so called) by will; and that not only to the extent of the testator's own share, but even of the rest of the family property. Thus the genuine principle of the Hindoo law, as to hereditary succession, is totally perverted. Formerly the law itself determined how the great mass of property should descend; and surely it accords with reason, that a matter, on which depends so essentially the happiness of society, should be regulated by the legislature, rather than left to private caprice or the dotage of age, worked upon by cozening priests and flatterers during the imbecility of expiring nature. Now, however, the superior wisdom of British Judges and lawyers, with the aid of their faithful pundits, have conferred on India the blessings of this latter system, by sanctioning the manufacturing of Hindoo wills. Thus all the property of the country is exposed to the depredations of artful Brahmins besieging the sick-bed of the weak and aged—pundits, perjurers, and fabricators of fictitious documents. Millions and millions of property are thus dragged yearly into the courts; hardly a family of any opulence but is torn asunder by litigations about forged and fraudulent testaments; the whole wealth of the land is a perpetual prey to fomenters of suits, mooktarkars, wakeels, or European attorneys; and, in short, there is an inundation of iniquity, from this source alone, worse than all the plagues of Egypt. This system began in fraud, as declared by Sir Thomas Strange; the object of admitting Hindoo wills at first being to bring the property of the Natives into the hands and management of Europeans; it is carried on with incessant fraud and depredation on these unfortunate people, the toleration of which is a disgrace to the British name. Yet our Correspondent speaks of the unlimited power of will-making as "highly valuable"! Nothing can prove more forcibly than this the lamentable want of free discussion in the country where he writes, when Englishmen of the highest talents (for among such we must rank him) entertain opinions so wide of the truth, as to the real effects of our system of rule on the condition of the people of India. But it arises from the almost total want of intercourse or community of feeling between the governors and the governed, and the muzzling of the press, by which, if free, they might be mutually instructed regarding their duties to each other. Our Correspondent cannot imagine how the right of will-making would be overthrown if the delivery of possession were held indispensable to the validity of a gift. The reasons are—1st. Because persons are seldom disposed to give away their property as long as they can enjoy it

themselves. 2dly. Because posthumous gifts, now allowed, could not then be admitted. 3dly. Because the act of giving possession during life being a thing of public notoriety, would leave little room for legal chicanery; so that the trade and craft of fabricating wills, now so very flourishing, would then be done away. The strife-stirrers, the forgers and false swearers, the wackeels—the attorneys, the pundits, in short, the whole tribe of those who live on the abuses of the law, might then exclaim with Othello—

“Farewell! our occupation 's gone.”

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#### THE SAILOR'S DREAM.

THE watch was set, and all aloft  
Was trim and fair,—the wind was free,  
The stars were beaming mild and soft  
As wooing the too fickle sea.

The deepest silence reigned around,  
All, save the rippling wave, was still,  
Which, curling o'er the vast profound,  
Gave earnest of its mighty will.

Secure, the hardy tat resigned  
To welcome sleep his heavy eyes;  
Nor was the slumbering boy behind,  
To seize a moment from surprise.

With watchful gaze and steady hand  
The steersman tracked the silent deep,  
And Edwin held his brief command—  
All else were sunk in stillest sleep.

If spirits rule our destinies,  
Or sympathies have magic power  
O'er mortal mysteries, there lies  
Strange influence in such an hour.

Uncertain forms in thought had chased,  
And still in turn had been pursued  
O'er Edwin's mind, as slow he paced  
The deck in meditative mood.

His first—last thought—to her was given,  
His Anna who, at parting prayed—  
“From dangers, oh! preserve him, heaven!  
And her heart's secret thus betrayed!

Sudden, came floating on the wind,  
In accents sweet, her tender prayer—  
Nor stayed the lightning's flash behind!  
And thund'ring peal on peal was there!

Yet, 'mid the elemental strife,  
And crash from mast by lightning riven,  
These accents stayed his ebbing life—  
“From danger, oh! preserve him, heaven!”

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## UNPUBLISHED MANUSCRIPTS OF A TRAVELLER IN THE EAST.

## No. VIII.

*Voyage through the Straits of Scio, and by Lesbos, or Mytelene, to the Bay of Smyrna.*

ON the evening of the eleventh of August we entered the Straits of Scio. Towards sun-set, the rocky hills that towered above the shores were covered with a light grey tint, which contrasted beautifully with the strong shades of the cliffs and precipices below. Mid-way towards the base of the mountains were fertile grounds, exhibiting a rich profusion of verdure, and the valley that skirted the edge of the sea was covered with charming retreats, embosomed amid the dark foliage of luxuriant vineyards and orange groves. It would be impossible to convey an accurate idea of the pleasure with which I surveyed this rich and classic scene. It surpassed all that I had expected or conceived, and charmed and delighted every sense.

From the entrance of the Straits, we had a view of the bay between Samos and Cape Coulbe, just round which is the antient Teios, now called Bodrun, the city walls of which were four miles in circuit, although they now lie in ruins. Independent of its celebrity in history, it is rendered sacred by the birth of Anacreon. It once contained a superb temple of Bacchus, the work of the architect Hermogenes, though Dallaway describes it in 1795 as being a vast heap, overgrown with olive and vine trees, in a flat enclosure, thickly planted. "Amidst the pile," says he, "sections of Ionic pillars, fluted, and a capital, with the volutes and ivy leaf of superior delicacy, caught our attention; there are, indeed, many proofs of its extent and magnificence, but its dilapidation was of so remote an era, that they are mostly broken and decayed." Polwhele thus apostrophizes it:

See the sad types of festal pleasure flown,  
Dim flowering olives dew the *Teian* fane;  
And canker'd vines, around each pillar'd stone  
Aspiring, its Ionic base distain:  
Yes! hoar Anacreon! where thy joyous train  
Their ruby cups to thrilling music quaff'd,  
Thy sacred plant obtrudes an idle chain,  
To clasp, poor parasite, the dripping shaft;  
And green oblivion glooms where Love and Bacchus laugh'd.

GRECIAN PROSPECTS.

Being on deck at sun-rise on the following morning, I had an opportunity of observing the surrounding scenery of the island of Scio, and the coast of Asia Minor, under all the varied hues and shades which it presents at different altitudes of the sun, and found them all rich and beautiful. We had advanced farther up the Straits during

the night, and possessed a more extended view, both of the opposite shores and of the island itself, while the light winds and slow progress of our vessel prolonged our enjoyment of the view.

In examining the few historical records that a confined marine library afforded, I found the erudite and entertaining Dallaway had concentrated all the testimonies of antient authors respecting the former state of Scio, and, having visited the island himself, had profited by so favourable an opportunity to give a sketch of its more modern condition, which he has executed so ably as to furnish a sufficient excuse for transcribing the most material parts.

The antient Chios, or Scio, (according to this authority,) retains more of its former prosperity than any island in the *Ægean* Sea. The fertility and beauty which they discovered, invited the Ionian states to establish a colony more than a thousand years before Christ, which soon attained to a degree of political consequence as the allies or subjects of the continental cities of Greece. A fleet constantly prepared for action, and the maritime genius of the people, gave them the command of the *Ægean* Sea. Historians record very frequent changes in their subjection or alliances, the result sometimes of necessity, but more frequently of choice. Their most antient friends were the Spartans, whom they deserted for the Athenians, but during the Peloponnessian war they again revolted to the Lacedemonians. After a failure in the first attack by Chares, the Athenians indulged the resentment of conquerors, and levelled the new walls of their city with the ground.

The kings of Pergamus, Eumenes, and Attalus, appear to have become possessed of Chios either by conquest or by cession; and the Chians, as allies of the Roman people in the battle of the Romans with the Galatians under Cneius Marcius Vulso, were rewarded by a declaration of their freedom, with the protection of their former masters.

Upon the extinction of the Attalian kings, they were attached to the Roman territory, and, when the empire was divided, they remained subject, until the reign of Manuel Comnenus. In the partition of the Eastern empire in 1204, by the French and Venetians, Chios was allotted to the Byzantine throne, and afterwards granted to the Genoese, by Michael Paleologus, in remuneration of assistance against the Latins.

In the reign of Amurat, or Morad the third, in 1575, it was treacherously taken by Piali Pasha, after having been held by the Genoese nearly two centuries and a half.

After a calamitous siege in 1694, the city and island were regained by the Venetians, who were betrayed by the Greeks during the inveterate quarrel with those of the Latin church, but their possession was of short duration, for, in 1696, Mezzomorto, the African renegade, a celebrated Admiral, invested the island with success, and it was again added to the Ottoman empire, with whom it at present remains.

The island is computed, as nearly as the extreme irregularity of

the coast will admit of ascertaining, to be about 130 miles in circumference. It is intersected by mountains of volcanic shape and structure, distinguished by the antients as the *Phanæan* and *Pelhi-nean*; the latter is in the district of *Arrisia*, famed for the produce of wine, so much esteemed at Rome in its most luxurious days, for its cost and exquisite flavour. Pliny relates that Greek wine was prohibited in Rome, A. U. C. 675, by a sumptuary law; and Varro says, that *Lucius Lucullus*, when young, did not remember it to have been served more than once at the most costly feasts. Upon his return from Asia, he brought with him a thousand gallons. C. *Censius*, the prætor, had Chian wine first given to him by a physician, as a cordial. Cæsar, in one of his triumphal suppers, distributed about a hundred gallons, which was considered as an instance of extreme profuseness, nor was it until the seventh century after the building of that city, that it became common in the houses of the most affluent. "We tasted some of it," says Dallaway, "which did not disparage its antient fame." It has a flavour similar to that of *Monte Fiascone*, and is called, by way of excellence, the wine of Homer.

The honour of giving birth to that divine bard is claimed by the Chians with honourable avidity, and they are allowed to have urged a greater number of circumstances than their competitors, in support of their claim. A family of his descendants were called *Homeridæ*; and, as if the art of poesy were hereditary, they produced *Parthenius*, of no trivial name amongst poets. *Leo Allatius* cites many authors to prove Homer a native of this island, and upon more accumulated evidence decides on that circumstance as a fact. But his own confession may be more satisfactory in his hymn to Apollo; for his inhabiting Chios may convey a certain degree of proof that he was born there. Ion, an elegiac and tragic poet of the age of *Eschylus* and *Sophocles*, was also a native of Chios.

*Venus* was the divinity to whom the highest honours were paid in this island; her temple was uncommonly splendid, and the females devoted to her service not less beautiful than numerous. The education of the sex was equally hardy with that of the young men, and, in the public gymnastic exercises they contended with each other unincumbered by dress. Notwithstanding this exhibition of rigid discipline, the natives were addicted to the most effeminate luxuries; and it is said, to their eternal reproach, that they were the first in Greece who used slaves. The Epicurean philosophy was very successfully recommended by *Metrodus*, and enforced by the example of his practice. His definition of happiness is succinct and plausible—"a sound constitution, and a security of its continuance."

Whatever might have been the remains of antient architecture, no traces are now to be discovered; all have yielded to time, or more probably to the more effectual destruction of misguided zeal or appropriation.

The city of Chios appears to have been at the most distant period of considerable extent and beauty. Modern Scio, as it is now called, is esteemed the handsomest town in the Archipelago, and from its

Italian masters has derived much of the European accommodation. In beating to windward we stood within half a mile of it, from which distance it presented a fine appearance, more particularly the southern part of the town, in which are several Turkish mosques, whose circular domes, and slender minarets, just discernible above the deep woods with which they were surrounded, gave an air of novelty to the scene. The port is extensive, but has neither deep water nor good shelter, being formed by a low mole, and a rock, on which are two lights.

The population of Greeks is computed at above 150,000, while that of the Turks does not complete a fortieth part. Yet such is their want of vigour and unanimity, and their habitual terror of the Turkish name, that they patiently bear their burdens, while the Greeks of the other islands evince so strong a desire to avenge their wrongs on their oppressors. It is true that the vicinity of Scio to the Turkish territory, and the presence of a Turkish garrison, may make it prudent to con-  
ceal desires which, for want of a leader, they cannot safely accom-  
plish. This numerous population is maintained by the produce of the soil, and by the manufacture of silk and cotton stuffs.

Almost the whole of those parts of the island in which cultivation is at all practicable is said to be like a garden. Among the chief of their productions are those of corn, wine and fruits, gum-mastic, silk, and honey, which last is found in great quantities in the rocks on the south side of the island, and may vie with that of Hybla or Hymettus.

In recounting those bounties of nature, the singular beauty of the female inhabitants must not be omitted. "As we walked through the town," says Dallaway, "on a Sunday evening, the streets were filled with women, dancing, or sitting at their doors in groupes, dressed in the fashion of the island, which is scrupulously confined to the natives. The girls have most brilliant complexions, with features regular and delicate, but one style of countenance prevails. When without a veil, the head is covered by a close coif, confining the hair, excepting a few locks round their face, which are curled, and bathed in perfumed oil. The ringlets, which are so elegantly disposed round the sweet countenances of these fair Chiotes, are such as Milton describes by 'hyacinthine locks,' crisped and curled like the blossoms of that flower; and although no dress more unbecoming than that which envelopes their shapes could have been imagined, yet their faces make ample amends, with eyes varying with infinite expression from softness to vivacity. All the arts of ancient Greece have declined in an extreme proportion, nor should we wonder that if the superiority of beauty be unimpaired, the art of adorning the person be almost lost. Yet the air of the veil, the ceinture, and the sandals, afford us occasionally some slight glimpse of that exquisite grace which pervades the drapery of ancient sculpture."—*Dallaway's Constantinople*.

About a mile from the town is a cave denominated "*Homer's School*," conjectured by some to have been a fane of Cybele, and, by others, the oracular theatre of the Erythrean Sibyl.



As a proof of the salubrity of the climate, longevity is common. Among other instances, Dallaway mentions his being accosted at a fountain, by a venerable old man, who said that he was 120 years old, and that he had a son now living who was eighty, at which age he again became a father. He acknowledged that there were many older men in Scio; but none like himself who had been preferred, as he could boast to have lately been, by a girl of twenty to a rival of her own age!

At noon, we were opposite to Cheshméc, the antient Cyssus, in which port the fleet of Antiochus was defeated by the Romans. The town covers a shelving ridge to the sea, with the fortress in the centre, of an oblong shape, consisting of double walls and a deep fosse, and enclosing several houses, and a mosque. Its apparent antiquity is not higher than when the port was in possession of the Genoese. Since 1770, memorable for the destruction of the Turkish fleet by the Russians, the greater part of the town has been rebuilt, having at that time suffered from the conflagration occasioned by the burning of the Turkish ships of war.

Erythræ, famous for a sybil, and Mount Mimas, on the summit of which Anaxagoras built an observatory, were a few miles to the north. The Erythræan sybil, and the sybil of Cumæ in Italy, were the same. Her oracular communications were placed by Tarquin in the capitol, and burnt by accident, during the war of Marius and Sylla; and it is said that the Emperor Augustus deputed three ambassadors to Erythræ, to procure a genuine transcription, but they collected only mysterious verses, known universally by oral tradition.

Towards evening the wind increased considerably, and during the night it blew in heavy squalls, obliging us to close reef the topsails, notwithstanding which we sprung our foretopmast, split several sails, and carried away some of our rigging. The whole night was indeed a scene of great bustle and anxiety, the narrowness of the passage obliging all hands to be on deck, to work the vessel through its difficulties.

The morning of the 14th was boisterous, but the weather moderated, and the wind became more favourable towards noon, enabling us to clear the Straits of Scio and approach the island of Mytelene, which lies opposite to the western entrance of the great Bay of Smyrna, into which we were bound. The appearance of the mountains in the distance was imposing, and the varied scenery of the coast, as we approached nearer to the shore, full of interest and beauty.

It is uncertain when the name of this island was changed from Lesbos to Mytelene. Eustathius mentions that there were five cities existing in his time, and that the island had been lately called Mytelene, as it had antiently been Lesbos.

The climate of this island has obtained from the antients no common degree of praise. Its effect on the productions of nature are peculiarly genial. Hippocrates, the great father of physic, commends it as very superior, and Gillies, in his 'History of Greece,' observes,

that Demetrius of Phalera accounts for the singular degree of poetic fame Mytelene has enjoyed, from its invigorating influence on the imagination.

Terpander, Alcæus, and Sappho, the former by his mechanic improvement of the Grecian lyre, by the addition of three strings to four, and the others by inventing new rythms and improving the melody of former versifications, have immortalized their names. The spirited rhapsodies of Alcæus are lost to us. The exquisite poems of Sappho, her 'Hymn to Venus,' and that of 'Sixteen Lines to Eriana,' were rescued from oblivion by Longinus and Dionysius of Halicarnassus; Terpander flourished about a century after Homer, and Sappho lived about 610 years before Christ.

Pinkerton mentions that the Lesbians excelled in female portraits on their coins, especially of Sappho.

Dallaway observes, that Horace was the first who adapted the measures they had invented to the Roman muse. It is a matter of curiosity, not easy to be ascertained, how far Horace translated, paraphrased, or only imitated, the works of Alcæus and Sappho, certainly existing at Rome in his time. It is to be wished he had given us either a paraphrase or translation of the celebrated morceau of Sappho—Catullus has failed—Philips has been more happy—and perhaps since equalled by the poet, Mason.

The soil of Mytelene is extremely congenial to the cultivation of the vine. That which was so much esteemed by the Romans would preserve its quality, if the inhabitants were more industrious in cultivation, and more careful in making and keeping it. This defect is owing to the residence of the Turks, who are scandalized by the quantity taken to excess by the Greeks; for, in this island, there are more resident Turks than in any other island of the Archipelago, (Candia excepted,) and their manners have long since pervaded the whole of the inhabitants.

Several travellers have dwelt with much pleasure on the luxuriant scenery and delightful views of the island; and Polwhele, in allusion to it, says:

Rich in the brilliance of the balmy light,  
These scenes repose. I saw the myrtle glow,  
The arbutus in bloom and fruitage bright,  
The glittering bay, the mulberry's silky flow!  
I felt but erst-delicious from below  
The sea breeze, as it curl'd the crystal springs;  
But shrubs may blush, and noon-tide zephyrs blow,  
In vain voluptuous while no Sappho sings,  
Nor, by the landscape moved, Alcæus fires the strings!—

a description that appears warranted by the testimonies of all who have visited this delightful island.

Lesbos has been the asylum of the unfortunate. The wife of Pompey, flying from Cæsar, was, according to Lucian, there hospitably received and protected. Irene, the Empress of Leo IV., in '802,

banished by the ungrateful Nicephorus, who supplanted her, and denied her a suitable maintenance, fled to this island, and for some years earned the support of the day by the labours of her distaff.

In 1452, the Greeks, thinking the loss of the city of Constantinople inevitable, escaped, with more prudence than bravery, in great numbers to Mytelene, and afterwards dispersed themselves in the Morea and the islands of the Archipelago. When all was lost, Leonardus Chiensis, the familiar priest of the ill-fated but valiant Constantine Paleologus, availed himself of this place of general refuge, and was made Bishop of the See. Gibbon, in his 'Roman History,' alludes to a curious account of the siege, given as a journal, and written on the occurrences of each day, by this Bishop. It was first printed at Nuremburg in 1544, in twenty quarto leaves, (though composed August 15, 1453,) under the title '*Leonardi Chiensis Historia Constantinopoleos expugnata a Turco*,' and is said to be an interesting work.

Very antiently the Lesbian women had a singular contest, that for beauty, which was publicly adjudged, and the prize given in the Temple of Juno. Young men of the island were chosen to decide.

Pittacus, who was one of the seven whom Greece acknowledged as sages, and humanity as benefactors, was the legislator of Lesbos, and the founder of its republic, which soon yielded to more powerful states.

According to Thucydides, in the fourth year of the Peloponnesian war, Lesbos revolted from the alliance of the Athenians, but it was completely reduced in 427 before Christ, or the following year. Xenophon, and Diodorus Siculus, both mention that in the 26th year of that war, Callicratides, the Spartan, besieged Mytelene, but was totally defeated in a naval engagement near the islands Arginusæ, where he lost his life; and we have the authority of Gibbon that for some time it continued tributary to the Athenians, but afterwards, by choice, to the Lacedemonians.

When it became subject to Rome, history is silent as to any memorable transaction. As a part of the empire divided between the French and Venetians, it was taken from the latter by John Ducas Vataces in 1230, and in 1332 by Andronicus Paleologus, after a second conquest by them. Having been ceded by the Emperor Kalo Johannes to Domenico Catalusi, a Genoese, for services against his father-in-law, John Catacuzene, the Turks, under Solyman I., took it from Francis Catalusi, his descendant. Mytelene, the metropolis, was besieged by Ursato, a Venetian General, who was forced to raise the siege with the loss of 5000 men; and the French and Venetians in 1502 invested it without effect. It was the first island of the Archipelago of which the Turks had gained the certain and secure possession.

Beside being celebrated as the birth-place of Terpander, Alcæus, and Sappho, Mytelene produced also, in more modern times, the celebrated Khair'-ed-Deen, or Barbarossa, the notorious corsair, after-

wards Capudan Pasha of Solyman I., in the sixteenth century. He took the city of Tunis, and expelled the Venetians from the Morea. His great antagonist, Andrea Doria, the Genoese Admiral, after various success, was at length totally defeated by him. He died in the city of Constantinople in 1544, and was buried in the village of Beeshù-tash, on the Bosphorus, where his turbèh, or sepulchral chapel, is still shown with great veneration by the Turks. The British drama founded on his history is well known.

It is almost impossible to describe correctly the pleasing sensations excited by a view of classic ground, when every circumstance of time and place is favourable to contemplation, and a recurrence to the scenes and events which have rendered it renowned in history. Yet, in sailing through the Archipelago, one's heart almost bleeds to witness the contrasted state of poverty, oppression, and wretchedness, which now reigns where liberty and plenty once flourished. The maritime poet, Falconer, with all that warmth of feeling which pervades his poem, could not avoid a digression to lament the wretched change :

What pale distress afflicts those wretched isles !  
There Hope ne'er dawns, and Pleasure never smiles ;  
The vassal wretch obsequious drags his chain,  
And hears his famish'd babes lament in vain—  
These eyes have seen the dull reluctant soil  
A seventh year scorn the weary labourer's toil.  
No blooming Venus, on the desert shore,  
Now views with triumph captive gods adore ;  
No lovely Helens now, with fatal charms,  
Call forth th' avenging chiefs of Greece to arms.  
No fair Penelopes enchant the eye,  
For whom contending kings are proud to die.  
Here sullen Beauty sheds a twilight ray,  
While Sorrow bids her vernal bloom decay !  
Those charms, so long renowned in classic strains,  
Had dimly shone on Albion's happier plains !

SHIPWRECK, *Canto I.*

I ardently wished, however, to turn from this sombre view of the picture, and to indulge the train of pleasing ideas which its classic recollections had excited : deeming it unwise to dwell on painful emotions, unless their indulgence could be considered conducive to some evidently beneficial purpose. On the present occasion, however, the calm that prevailed, and the brilliancy of the Grecian heavens, were favourable to the highest degree of imaginative enjoyment :—

My heart was full of Fancy's dream,  
And, as I watch'd the playful stream,  
Entangling in its net of smiles  
So fair a group of elfin isles,  
I thought the midnight scenery there  
Was lighted by a Lesbian sky,  
And that I breathed the balmy air  
Yet warm with Sappho's amorous sigh,

Until the downy hand of rest  
 Her signet on my eyes imprest,  
 Yet even then the blissful spell,  
 Like star-dew, o'er my fancy fell!

At noon of the 15th we were becalmed off Cape Carabourna, which forms the southern entrance to the Gulf of Smyrna, when a light breeze springing up in the afternoon, we crowded all sail, and saw Long Island at sun-set. Our pilot, however, steering too far southerly entangled himself between Long Island and the south-western main, where we beat about the whole of the night, in a passage not more than a mile in width, and that obstructed by many dangerous rocks.

Successive intervals of calms and squalls, and those too from an unfavourable quarter, prevented our making any progress throughout the whole of the 16th, though all hands were employed tacking every hour, and attending the sails.

At day-light on the 17th, we embraced the favourable breeze that blew, and weathering the south-point of Long Island, bore away for Smyrna, where we anchored about noon in nine fathoms water, close to this magnificent and imposing maritime city of Turkey, surrounded by ships of every flag and nation in Europe, Africa, and America.

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#### OFFICERING THE NEW BENGAL REGIMENTS.

*To the Editor of the Oriental Herald.*

SIR,—The operation of officering the six new extra regiments of the line, ordered in General Orders, of 13th May 1825, has necessarily promoted many officers to the regimental rank of captain, years junior to those now entitled to the brevet rank in the army, continuing (as it should have done) 27th April 1825 with the first class of the year 1809; and unless the Honourable Court of Directors are graciously pleased to grant this boon to very many of their older officers in the several Memorials of the year 1824 before the Court, praying for favourable consideration, the army-list of the Bengal Presidency will exhibit cadets of the seasons of 1813, 1817, and 1818, promoted to regimental captains long before those of the standing of the year 1809; consequently, those not promoted by this increase will lose their entire rank in the army for ever and ever; and dismissal from the service could not be more ruinous to those unfortunate individuals, both in future prospect in the service, and retirement in old age.

The brevet rank was always understood to prevent supercession as much as possible. The brevet rank would save many of these officers, and give them their standing in future augmentations.—I am, Sir, yours,

ONE OF 1809.

## LABOURS OF THE ASIATIC SOCIETY OF PARIS.

*Seventh and last Article.*

IN concluding our analysis of the original papers contained in the volumes of the 'Journal Asiatique,' already published, we proceed to notice the papers connected with various portions of the Turkish Empire. These complete the series of able and interesting articles contained in that work, with the exception only of two notices on the state of modern Hebrew literature, as cultivated by the Jews of France and Germany, whose productions have no connexion with Asia, beyond the language in which they are written.

Armenian literature can scarcely be considered as an object of any great or general interest; for, although individuals of the singularly enterprising race to which it belongs are scattered over every quarter of the globe, penetrating, like their industrious rivals the Jews, into the remotest regions to which commerce has been extended, still their language is so where the medium of communication, except among themselves, and in the enslaved and degraded country from which they derive their origin; while the meagre relics which they possess of the literature of former ages, are barely sufficient to reward the philologist or the historian for the labour of acquiring the scanty information which they convey. Four papers, however, connected with this barren topic, have been admitted into the 'Journal Asiatique.' Two of these constitute one side of a controversy relative to the merits of a Grammar, lately published at Paris by M. Cirbied, the Armenian Professor of the Royal College, whom M. Zohrab, also an Armenian, and a man of considerable literary attainments, declares to possess hardly a school-boy's knowledge of the language which he professes to teach. Into the details of this controversy, we have neither space nor inclination to enter; and, with regard to its merits, we shall merely observe, that the conductors of the 'Journal,' (or rather M. Saint Martin, acting as their representative,) appear fully to concur in the propriety of the sentiments expressed by M. Zohrab.

The other articles are from the pen of M. Saint Martin himself, and consist of a 'Notice on the Life and Writings of Moses of Chorene, the Armenian Historian,' and an 'Analysis of an Armenian Tragedy,' represented at Leopold, in Poland, in the year 1668. In the former of these papers, we are presented with the biography of the only writer of extensive celebrity of whom his country can boast. Moses of Chorene was born toward the conclusion of the fourth century, and early attached himself to the then Patriarch, Zabag, a worthy descendant of Saint Gregory, who, in conjunction with Mesrob, (a personage of great importance in the annals of Armenia, as the inventor of the system of letters now in use; which quickly superseded the foreign and insufficient alphabets previously employed,) endeavoured to excite among his countrymen a taste for Greek literature.

nature, in order to strengthen their belief in the doctrines of the Christian faith. With this view, several missions were sent into different parts of the Roman empire, for the double purpose of studying the Greek language and collecting rare and useful manuscripts, which it was proposed afterwards to translate into the Armenian, written in the new and national character. Of one of these missions, despatched to Alexandria, as the principal school then existing in the world, our author formed a part. His stay in that city, and his subsequent visits to Rome, Athens and Constantinople, appear to have occupied several years, and he returned to his own country about the year 442, imbued with a profound knowledge of Greek, and bringing with him a rich collection of MSS. From this period, during the entire remainder of his life, which his countryman, Thomas Ardzrouni, somewhat unconscionably prolongs to 120 years, he was incessantly occupied with those literary compositions, translations, and compilations, which have justly placed him at the head of the classic authors of his country. His principal work is the 'History of Armenia,' divided into three books, the first of which treats of the period commencing with Haïk, who is regarded as the earliest king of Armenia, and terminating with the establishment of the Arsacidan race; the second closes with the death of Tiridates, the first monarch who made open profession of Christianity; and the third is continued down to the death of his patrons, Sahag and Mesrob. The first edition of this history made its appearance at Amsterdam in 1695; and, in 1736, William and George Whiston, sons of the celebrated Adrian, re-edited the Armenian text, to which they likewise added a Latin version, which affords a singular instance of persevering industry, inasmuch, as we learn from the preface, that only two Europeans, besides themselves, were at that time supposed to possess a knowledge of the original language. This edition has now become scarce; a third was printed at Venice in 1751 or 1752, and a fourth is announced by M. Zohrab. The other known works of Moses of Chorene are, a 'Treatise on Rhetoric,' after the manner of the Greek sophists, published at Venice in 1791; several homilies and hymns, of which latter many are to be found in the collection printed at Amsterdam in 1664; and, lastly, a 'Treatise on Grammar,' some fragments of which are preserved in the labours of later grammarians. 'A System of Geography' has also been several times published under his name, but the principal part of this work is translated from the mathematician Pappus of Alexandria, and it admits of considerable doubt whether the additions, which comprise some curious details relative to Persia, Armenia, and the Caucasus, evidently furnished by an Armenian, were written by him. His latter years were devoted, as he himself states, to translation; but none of the ancient Armenian versions from the Greek can with any certainty be attributed to him, with the exception, perhaps, of one of Eusebius, which was employed by Dr. Angelo Mai and M. Zohrab, in the Latin translation of that ancient chronicler, published by them at Milan in 1818.

The tragedy, of which M. Saint Martin has given an analysis, is

more remarkable on account of the circumstances under which it and several others of a similar character were produced, (from which he has taken occasion to illustrate at some length the condition of the Armenian church in Poland, in which country, as well as in the south of Russia, the Armenians have formed several considerable colonies,) than for any peculiar or intrinsic merit which it possesses. It is, in fact, perfectly analogous to those school-productions, formed upon the model of Seneca, which made their appearance in England, France and Italy, about a century previous, and of which Wilmot's 'Tancred and Gismund,' the tragedies of Robert Garnier, and the 'Sophonisba' of Trissino, offer some of the earliest specimens. From one passage in the introductory remarks, we are led to infer, that Armenian literature, properly so called, is entirely devoid of any thing that can lay claim to the title of a regular drama. The piece in question is entitled, 'Saint Ripsima, Virgin and Martyr,' and its subject relates to the most interesting event in the history of Armenia, namely, its conversion to Christianity. It is written in Armenian verse, but the choruses, which fill up the pauses between the acts, are in the Polish language.

We next turn our attention to the history and literature of the **TURKS** themselves, connected with which we find four articles, three written by M. Garcin de Tassy, and one by M. Von Hammer. In a 'Memoir of the Turkish History of Prince Cantemir,' the latter gentleman maintains, notwithstanding the reputation which that work has so long enjoyed, and the testimony of Sir W. Jones to its excellence, and the ability of its author, that the doubts of Gibbon were well founded, and that it is not deserving of the slightest confidence. He adduces a number of examples taken from the first six reigns, tending to prove, on the authority of authentic Turkish chronicles, that Cantemir has grossly misstated many of the most important events of those reigns, while he appears to have been wholly ignorant of others. As an example of misstatement, we may mention that all the Turkish chronicles, without exception, place the field of battle which decided the fate of Bajazet, near Angora; whereas Cantemir, without any authority, transfers it to Broussa, and repeats the old story of the iron cage, in which Timour is said to have enclosed the fallen monarch, which is expressly contradicted by Saad-ed-din, the author whom he professes to follow. An instance of ignorance equally striking is to be found in the circumstance, that he takes no notice whatever of the siege of Constantinople, in 1422, although it is mentioned by the Turkish historians, and although there exists a distinct work on the subject, written by the Byzantine author, John Canano, and printed at Paris in 1651. But M. Von Hammer does not rest satisfied with depriving Cantemir of all pretensions to the character of a faithful historian: he maintains further, and of this also he brings examples from the same portion of the work, that, instead of being, as Sir W. Jones describes him, "eminently skilled in the Arabic, Persian, and Turkish languages," he was profoundly ignorant of the two former, and, although probably able to speak the latter, very im-



perfectly versed in its grammatical principles. Such are the charges brought by M. Von Hammer; and he concludes by offering, if the evidence which he adduces is not considered sufficient to substantiate them, to proceed in a similar manner through the remaining seventeen reigns, which complete the work, in order at once and for ever to overthrow the ill-deserved credit which this very defective history has hitherto maintained.

M. G. de Tassy's translation of a passage in Saad-ed-din, which professes to give a relation of the capture of Abydos by the Turks, has too much the air of a romance, although confirmed by the authority of twenty-four Ottoman historians, and by the uniform tradition of the inhabitants, as appears by the testimony of M. Von Hammer and Lady M. W. Montague, to deserve implicit confidence. Moreover, as M. Von Hammer remarks, the ground-work of the story is exceedingly like the dénouement of the romance of 'Sidi Battal,' (as the 'Cid el Campeador' is denominated in the East,) of which the Royal Library possesses several copies. This *veridique* relation affirms, that in the year 1327-8, the Sultan Orkhan despatched Kounouz-Alp and Abd-er-rahman, two of his bravest generals, to lay siege to Abydos; but that the strength of its fortifications for a long time baffled their most strenuous efforts; that the Governor's daughter having been rescued in a dream from a situation of imminent peril by the interposition of a youthful warrior, whom she afterwards recognized in the person of Abd-er-rahman, afforded them the means of entering the place secretly, by night; that after having purged the citadel from the impurities of Polytheism, (as the Turks designate Christianity; on account of the dogma of the Trinity,) by a zealous application of the scimitar, the victorious Abd-er-rahman was united in marriage to the fair Greek, who was converted to the true faith; and that from their union sprung a son, named Cara-Abd-er-rahman, who, in process of time, became the terror of the Polytheists of Constantinople. An abridged translation, from the same author, of his description of the last named city, contains nothing worthy of observation, the greater part being taken up with the usual ridiculous stories relative to the building of the great mosque of Saint Sophia, under the reigns of Justinian and his successor.

As for the 'Principles of Wisdom, touching the Art of Governing,' translated from the Turkish of Al-Hissari, it may readily be supposed that little is to be learned from them. M. G. de Tassy appears, however, to deserve well of the priest-ridden government under which he lives, to whom Turkish maxims of policy are becoming daily more familiar, when he declares, that "the noble frankness, the wise boldness, which characterize this treatise, demonstrate that we sometimes meet with more liberty under an absolute despotism, than in a state the constitution of which is democratic." For our own parts, we are quite unable to detect in this performance one sentence which could possibly give offence to "the victorious Sultan, Mahomet the Third, (the shadow of God upon earth, the Sovereign of Greece, Arabia, and Persia; may his empire endure to all éternity!)" to

whom the treatise is dedicated, or to any member of his "paternal" government. It is, in fact, as flimsy and innocent a tissue of common-places as ever were strung together; more remarkable for the anecdotes with which it is illustrated, than for any silly ambition on the part of the author to figure as a martyr in the cause of truth and justice.

It may be as well to mention here a note on the BALAIBALAN language, by M. de Sacy, supplementary to his account of the grammar and dictionary of that factitious tongue, published in the ninth volume of the 'Notices and Extracts of the MSS. of the Royal Library.' In this note, M. de Sacy attributes the invention of this curious mixture of the etymological forms of the Persian, Arabic, and Turkish, to the Scheikh Mohyi, who flourished about the year 1000 of the Hejira, and who unfolded, in this new language, the most obscure mysteries of the Koran, which were thus placed exclusively within the reach of the Sofis, for whose peculiar use it was destined.

In speaking of the different portions which compose the Turkish empire, it is with feelings of the deepest shame and sorrow that we comprehend under its barbarous dominion the land of Socrates and Miltiades, of Demosthenes and Epaminondas; but having taken the political divisions of states for the basis of our classification, we are compelled by the Christian policy of the Holy League, united together for the perpetuation of despotism, "in the name of the blessed and undivided Trinity," to recognize with them the legitimacy of that sanguinary tyranny which has now, for nearly four centuries, devastated the soil, and demoralized the inhabitants of that once beautiful and classic land. That this foul stain on the nations and the governments of the civilized world may be speedily wiped out, is the fervent prayer of every friend to the moral improvement of the human race; but, at the same time, we must sincerely avow our rooted conviction that there is nothing which the Greeks have so much reason to dread, because there is nothing which is so well calculated to render the almost certain issue of their present struggle (however sombre may be their momentary prospects) a curse instead of a blessing, as the active interference of the combined despots of Europe.

From this unpremeditated digression, we again turn to the volumes before us, which contain but two papers on the subject of Greece, both of which may be despatched in a few words. The first, by M. Gail, one of the most distinguished Greek scholars of the day, is intended to prove, and does, in fact, very satisfactorily demonstrate, the necessity of the study of the ancient Greek, in order to obtain just and accurate notions with respect to the history and revolutions, as well as the geographical positions of the Asiatic nations in ancient times. He also, adduces the close and well-established affinity between the Greek and Sanscrit, in proof of the advantages which the Oriental student may derive from a thorough knowledge of the former. The other article is a notice on the Sappho of Erasos, by M. Allier de Hauteroche, in which it is clearly shown, from a medal of the time of Commodus, that the opinion entertained by M. Visconti, that there were two females of that name, both Lesbians, the one

famous for her poetry, and a native of Mytelene, the other of *Enchoria*, and celebrated for her unfortunate love, was perfectly correct.

The history and antiquities of EGYPT furnish matter for two articles, both communicated by M. Champollion Figeac, author of the 'Annals of the Ptolemies,' and brother of the zealous and successful inquirer whose researches have thrown so brilliant a light on the hieroglyphic, and other systems of writing, employed by the antient inhabitants of Egypt. The first of these articles consists of a notice on two Egyptian Papyri, in what M. Champollion has thought fit to call the *demotic* writing, a term for which no authority can be found in antient authors, (as we have no means of ascertaining to what system the *popular* of Herodotus belongs,) and unnecessarily superseding Dr. Young's prior denomination of *enchorial*, which has not only the precedence of the other in modern days, but is also expressly employed in the Greek inscriptions to designate the system of writing in question. The papyri to which this notice relates, are of that description which, on account of their similarity to certain Greek MSS., and by means of a marginal summary, or registry, in Greek, which each of them contains, have long been recognized as contracts between individuals for private purposes. There is indeed strong reason to believe, that all the contracts of the time of the Ptolemies consist of two parts, the original being in Egyptian, and written in the enchorial character, while the copy and registry are in Greek, the language of the administration. The most important of this species of documents which had been previously made known, are, an enchorial deed of the Royal Library at Paris, the Greek antigraph of which was almost miraculously discovered by Dr. Young among the collections of Mr. Grey; a Greek contract, in the possession of M. Anastasy, the Swedish Consul at Alexandria, published by Professor Boeckh, of Berlin; and three enchorial contracts for the sale of land in the neighbourhood of Thebes, translations of which are given by Dr. Young, who considers the earliest of these latter documents, which bears date in the 28th year of Ptolemy Euergetes the Second, 143, or, more probably, 154 years before Christ, as at least thirty-seven, but in this latter case, forty-eight, years more antient than any other writing with pen and ink that exists. The two contracts here referred to are, however, of much older date, being of the fourth and eighth years of Ptolemy Epiphanes, that is to say, 202 and 198 before Christ, the latter date being only one year earlier than that of the Rosetta stone.

In his translation of the Preambles of these documents, which are the only portions he has given, Mons. C. Figeac has made use of the improved alphabet, published by his brother, and founded on the previous labours of M. Akerblad, the Baron de Sacy, and Dr. Young. The certainty of this alphabet is now so fully established, and its accuracy so universally recognized, that we deem it superfluous, on the present occasion, to give an account of the method by which its elements have been gradually and successively deduced, from a comparison of the differ-

other monuments in the enchorial character. Neither would it be at all interesting to the general reader to follow the learned author through his minute inquiry into the succession of the priests of Alexander and the Ptolemies, the Athlophores, or prize-bearers, of Berenice-Euergetes, the Canephores, or basket-bearers, of Arsinoë-Philadelphus, and the priestesses of Arsinoë-Philopator. It is, however, principally in this point of view that the preambles of the various documents hitherto investigated, may be considered as of some importance, inasmuch as they are all similar in their contents, and perfectly analogous to that of the Rosetta stone, bearing, in addition to the names of the reigning monarch, and of the Ptolemies, his predecessors, together with the year of his reign, those of the respective dignitaries of the hierarchy whose titles we have just enumerated. One circumstance, however, connected with these relics is worthy of observation, namely, that the whole of the names which they exhibit, and indeed those of all the official personages under the Ptolemies elsewhere mentioned, are uniformly and exclusively Greek; a fact which speaks volumes with regard to the personal and mental degradation of the Egyptians under their foreign rulers. Leaving the minutiae of M. Champollion's investigation to those who take a deep interest in such matters, we pass to the consideration of his other paper, which contains matter of a more generally interesting character.

This is entitled a 'Notice on a Greek Papyrus and a bilingual Inscription of the Royal Museum of Turin,' and is partly taken from an unpublished Memoir, read before the Academy of Turin by M. Amédée Peyron, Professor of Eastern Languages in the University of that city. The first of these monuments, which form part of the celebrated collection made by M. Drovetti, and purchased by the King of Sardinia, is a Greek papyrus of more than six feet in length, and one foot in height, divided into ten columns of from twenty-nine to thirty-seven lines each, with the exception of the last, which only contains five: it is in a perfect state of preservation, and written in a very fine hand, the orthography also being more than usually accurate. But the principal interest of this document is derived from the circumstance of its exhibiting the record of an Egyptian law-suit of the 54th year of the reign of Ptolemy Euergetes the Second; that is to say, 117 years before Christ. The action is brought at Diospolis the Great, before Heraclides, one of the captains of the body-guard, governor of the suburbs of Thebes, and commissioner of the revenue, by Hermias, commandant of the military station at Ombos, against Horus and other Cholchytes, for having, during the absence of the complainant from Diospolis, taken possession of a house (the boundaries of which are stated) belonging to him in that city. The plaintiff declares that he has frequently, for several years past, demanded redress, and enumerates the petitions which he has presented to various magistrates for that purpose; but he complains that, partly by the address of his adversaries, and partly by the duties of his office, he has hitherto been precluded from obtaining a definitive

judgment. He then recapitulates the facts on which he founds his title to the house in question, which occupy two columns and a half of the MS.

Next follow the pleadings of the counsel on both sides, which are in the third person, and entirely devoid of the ornaments of oratory. Each of the advocates adduces the titles under which his client claims possession, and points out the various laws which bear upon the case, quoting textually the clauses which are most essential to the discussion. But as though it were impossible for lawyers, under whatever circumstances, to confine themselves to the simple question at issue, Philocles, the advocate of Hermias, goes out of his way to abuse the corporation of the Cholchytes, whom Dino, their advocate, consequently feels himself called upon to panegyryze, retorting upon Hermias the charge of inattention to the rules consecrated to the service of the judicial hierarchy. The ninth column contains the summing up of the judge, whose sentence occupies the five lines of the tenth: by this the Cholchyte Horus is declared rightful possessor of the house claimed by the plaintiff Hermias. In the course of the pleadings we meet with a strong corroboration of the conjecture, that all contracts under the Ptolemies consisted of two parts, Egyptian and Greek; for the advocate of the Greek soldier having objected to the title-deeds produced by the Cholchytes, a law which declares such contracts to be of no avail, if written only in Greek, his opponent produces the same writings in the Egyptian character, and on this ground the judge pronounces in his favour. With respect to the functions of the Cholchytes, who appear to have formed a distinct corporation, and who are likewise mentioned in the enchorial deed of Paris, the Greek antigraph of which is in Mr. Grey's possession, M. Peyron is of opinion, from various passages in the present document, that they were in some way connected with the process of embalming the dead, and were not, as Dr. Young had supposed, on the slender data in his possession, aided by a vague etymological conjecture, the dressers, or tire-men, of the temple.

Of the other monument here described, some mention had been previously made by Dr. Young, and we cannot forbear noticing the very illiberal treatment which that gentleman experienced from M. Drovetti in regard to it. In an excursion to the Continent in 1821, our learned countryman had the good fortune to discover, among the collections of M. Drovetti, which had long lain warehoused at Florence, this important relic, which was so little appreciated as not to be even mentioned in the catalogue of the Museum, prepared by its proprietor himself. No sooner had Dr. Young made this discovery, than, struck with its apparent value, he applied to the agents in whose care the collection was placed, for permission to send an artist to make two impressions in plaster, and two tracings on paper, of the stone, on the express condition that these copies should remain in their hands until M. Drovetti should affix a price to them; when, in case the stipulated sum exceeded what Dr. Young should consider reasonable, they were to become *bond fide* the property of M. Drovetti; with the

single reservation, that if it should ever be deemed advisable to transport the collection by sea, they should be retained at Leghorn until the original had reached its destination in safety. To this liberal proposal the agents readily assented; accident prevented the artist from carrying the arrangement into effect, but it appears that had it been completed, it would have been but labour in vain, for M. Drovetti subsequently gave Dr. Young to understand, that nothing should induce him to separate this stone from the remainder of his collection, neither would he permit any kind of copy of it to be taken. Such was the grateful return which Dr. Young received for first bringing to the notice of its possessor the value of a monument which was then thought to be the only supplement to the Pillar of Rosetta extant. It is, however, in every respect infinitely below the last-mentioned monument; it contains no hieroglyphic text, with the exception of the names of the royal personages, and of the divinities, whose figures occupy its upper compartment; and the enchorial inscription of twelve lines, and its Greek antigraph, which occupy the two lower divisions, are very much mutilated by a lateral fracture of the stone, which has demolished from a third to a sixth of each line. From the remains of the Greek inscription, M. Peyron has ascertained that it contains a decree of the priests of Diospolis the Great (under the reign of the Queen Cleopatra, and King Ptolemy Cæsar) in honour of Callimachus, cousin of the king, epistolographer, commissioner of the revenue for the suburbs of Thebes, and gymnasiarch, who had governed the province with wisdom under the most difficult circumstances, and preserved it from the scourge of plague and famine. In memory of these services, it is ordered that this decree shall be engraved upon a stone pillar, in Greek and *Enchorial* characters, which pillar shall be placed on the plinth of the temple of Amon-ra at Thebes. This decree substantiates the fact, which has been disputed by some writers, that Cæsarion, the illegitimate offspring of Cleopatra and Julius Cæsar, was actually recognized as King of Egypt. From various circumstances, M. Champollion is of opinion that its date, although not very clearly ascertained, must occur between the 12th and 16th years of the reign of Cleopatra, and consequently from 41 to 37 years before Christ. No attempt had yet been made to decipher its enchorial legend.

It is proper also to mention the insertion, in one of the early Numbers, of extracts from two letters from M. Cailliaud to M. Jomard, dated Sennaar, November 1821 and February 1822; but the subsequent splendid publications of this enterprising traveller have superseded the necessity of referring more particularly to the brief notices contained in his correspondence. The reflections of M. Jomard on certain points therein adverted to, and which relate principally to the supposed communication between the western branch of the Nile and the Niger, have also been stripped of their interest by the observations of Lieutenant Clapperton and his companions, and by the scientific and instructive discussions to which their discoveries have given rise.

Having thus fulfilled our promise of laying before the English reader a faithful epitome of the contents of the first five volumes of what may be regarded as the transactions of the Asiatic Society of Paris, which bring us down to the commencement of 1825, it seems unnecessary to extend our analysis by any additional observations on its general features. On the contrary, we feel called upon in some measure to apologize for the length to which it has already run; in excuse for which, we can only plead, that it has been our principal object, throughout the series of articles now completed, to exhibit, by a reference to the labours of the Oriental scholars of the Continent, as briefly as was consistent with a clear understanding of the different subjects, the extent of the progress which this department of knowledge has made, during the last few years, in the rest of Europe; and to stimulate, by this exposition, the qualified among our countrymen to emulate the example which is here set before them. We do not, indeed, mean to assert, that the Society whose labours we have been reviewing have been the medium of communicating to the world any of those grand and striking discoveries which are calculated to immortalize their authors; but a cursory glance at the contributions of its members will be sufficient to prove that they have elucidated many curious and interesting particulars, and that many of them have evinced a degree of zeal and perseverance in the pursuit of science, which the literati of other countries would do well to imitate.

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WOMAN.

AMID this earthly scene of woe  
 And ceaseless strife and fear,  
 It cheers man's sorrowing heart to know,  
 That thou, sweet one! art near;  
 To soothe his toil, dispel his care,  
 And o'er life's darkest scene  
 Of utter misery and despair  
 To throw thy smile serene.

The spell that chains man's lofty pride  
 And high ambition down,  
 And blots from thought all claims beside  
 What thou wilt, blessing, own,  
 Is not the charm of form or face,  
 But Virtue, Truth, and Love—  
 The cheering voice, the angel grace,  
 That angel natures prove.

Oh! thou dost cling around the hear  
 Like a bright dream of heaven;  
 Thy love doth seem a precious part  
 Of Eden's bliss; still given

In this cold world to erring man,  
That he may ever see  
The blessing waiting on the ban—  
The heaven yet left in thee !

Like sun-light through the crescent thrown,  
Thy dove like spirit gives  
Ethereal beauty, all thy own,  
To every thing that lives ;  
Man's rugged nature melts before  
Thy softly beaming eye,  
That ever his cold bosom o'er  
Shines like a sunny sky.

In life's gay hours thou art serene,  
And happy in thy love,  
Like flowers amid an evening scene,  
Or dew in starlight grove ;  
As sweet, and bright, and pure as they  
In spring-time's loveliest prime,  
Yet glowing through the winter day,  
Just as in love's sweet time.

When sickness writhes the feeble frame,  
And life seems waning fast,  
And all the pomp of power and name,  
Like sunset hues, is past ;  
The dying sufferer turns to thee,  
And in thy tender care  
A refuge finds in misery,  
A rapture in despair.

Through every scene of trial here,  
And every mortal woe,  
Thy love doth triumph over fear,  
And every doubt below ;  
And follows on with self-same tread  
From grandeur into gloom,  
Till hope and life and all hath fled  
In silence to the tomb.

And when man's fainting spirit sinks,  
And death's quick throes convulse,  
His eye from thine pure comfort drinks ;  
And by his hectic pulse,  
And the cold sweat upon his brow,  
He tells, beyond all art,  
What thou, O Woman ! art below,—  
*The heaven of the heart !*



## TOWN AND COUNTRY.

And this our life, exempt from public haunt,  
Finds tongues in trees, books in the running brooks.

Now, in respect it is in the fields, it pleaseth me well; but in respect it is not in the court, it is tedious.—AS YOU LIKE IT.

THERE is frequently in conversation an unaffected, unpremeditated wisdom, which is received with a more genial welcome into the mind, than the wisdom of books; because when a man sits down by his own fire-side with his friends, and, giving himself no airs of authorship, thinks merely of the matter in hand, his ideas appear to exult in delicious liberty, and to alight, like bees, on those spots only where the most honied flowers abound. By ceasing to pay any attention to language, his thoughts project, as it were, into the natural expressions, and create for themselves a temporary style, flowing with sweetness and amenity. I have frequently for this reason regretted my inability to preserve in writing many conversations I have heard, especially when, invigorated by the importance of the topic, the dialogue has soared into eloquence, or been warmed and brightened by the vivid flashes of passion. But it is not indispensably necessary to the production of eloquent conversation that the subject be new or great, as the mind appears sometimes to delight in throwing its splendours over a barren field, or in subduing applause with a humble topic, as Sampson did the Philistines with a jaw-bone. I remember to have joined once in a colloquy which appeared to breathe new life into a sepulchred argument; but whether it was a mere galvanic influence that terminated with the effort, I shall not decide, but produce a record of what passed, and leave it to the reader's judgment.

It arose from the following circumstances: Some years ago I had a literary friend who resided entirely, and from choice, in a remote part of the kingdom, where he had a small hereditary independency. He entertained large hopes of fame, and it was thought that he possessed abilities, the proper exertion of which could not fail to attain it. Nearly all his friends, however, were of opinion that his strict seclusion was injurious to the full development of his faculties; and as prospects highly favourable to his fortune seemed ready to open before him, could he be prevailed upon to reside in town, I visited him in his retirement for the purpose of combating his prejudices, as we all thought them, and in the hope of leading him up in triumph to the metropolis.

The time of my embassy was injudiciously chosen. It was spring; and the fields and hedges wore a glorious covering of verdure and blossom. In proportion as I receded from the metropolis, and felt the bewitching influence of the warbling woods, and of the perfumed

breezes that were wafted about on all sides, my quiver of barbed arguments seemed to be shrunk to pointless straws, which I felt ashamed to put in my bow. Nevertheless I proceeded, and arrived in due time at the scene of action.

It was a very antient-looking mansion on a hill-side, approached through narrow green lanes between hedges of fine hazel, and all the surrounding fields were dotted with clumps of oak and sycamore. A few other houses,

Rosomed high in tufted trees, were scattered about the country, and gave the landscape an air of cheerfulness and good neighbourhood.

Of course I did not flourish my arguments immediately on my arrival, especially as, like certain wines, they appeared all the worse for having been transported from their place of growth. But becoming somewhat more reconciled to them by degrees, I one evening let them loose, like young hounds, upon my friend's game, and the chase was at least pleasant and enlivening. We were sitting, my friend, his family, and myself, round the table from which supper had just been removed. Books, instead of wine, had succeeded our meal; and from one of these I contrived to wind myself into the desired topic.

As it would be vanity to obtrude our names upon the public, let *A.* stand in this dialogue for me, and *B.* for my friend; and let it be understood that I profess to give no more than the outline of a colloquy which, in its entire, would fill half a volume.

*A.* I have often, while in town, wished for an opportunity to discuss with you the passage of Helvetius, in which he says that the capital is the place for a philosopher. The idea has always, it would appear, prevailed in France, for almost all her great men have passed very early in their lives from the provinces to Paris.

*B.* Yes; and that circumstance explains the reason of some of the peculiarities of her literature. But why should we discuss this question now?

*A.* Because I wish to know all that can be urged against an opinion to which I am almost become a convert; not so much, perhaps, from a conviction of the pleasantness as of the utility of its consequences.

*B.* To understand the question properly, we ought to know first what is the aim of the philosopher.

*A.* Truth, undoubtedly.

*B.* And how he hopes to arrive at truth.

*A.* There is but one way,—by enlarging and purifying his mind.

*B.* And how are those things to be done?

*A.* Nay, upon that I crave your opinion.

*B.* Greatness of mind, then, that includes every excellence of which man is capable, appears to me to flow from four sources: the number and quality of our ideas; meditation; strong passions; and the capacity to combine rapidly. Ideas are acquired in three ways: from conversation, from books, from observation. Of these, the last two are by far the most efficacious, and they are accessible in the

country. Meditation absolutely demands solitude. The other sources of greatness are almost independent of local circumstances.

A. But the effect of intellectual power upon mankind is proportioned rather to the relation which the efforts of that power bear to present interests, than to any thing else; and, therefore, whoever would gain the applauses of his contemporaries, must delicately weigh their wants, and ingeniously provide for them.

B. Ergo?

A. He must reside among them.

B. That does not follow; at least it by no means follows that he should reside in the capital. The two most successful writers of the present age, Byron<sup>1</sup> and Scott, have passed but a small portion of their lives in London; though, to be sure, both have lived generally in large cities. But, to wave example, the genuine applause of contemporaries is gained by precisely the same principles of writing as ensure the approbation of posterity; and what these are, may be discovered by studying those noble compositions that have already gained immortality. No rhetoric will ever, I allow, teach a barren mind to move the hearts of men, or to convince their understandings; but why that mind should be barren which converses with rivers, and plains, and mountains, and all the host of heaven, to say nothing of that accumulated world of thought which books open to it, I have yet to learn. Descriptions of transient manners, discussions of temporary interests, pictures of foibles that vanish while you paint them, are not the stuff that immortality is made of; nor are they likely to flow from the pen of one who is conversant with nature, whose divine presence infuses an awful majesty into our meditations, which communicates by degrees with our very words, and gives them weight, and fervour, and power. I myself have sometimes been touched with a noble enthusiasm, when, watching far into the winter night, and meditating by this solitary fire on the fortunes and destinies of the human race, I have heard the voice of nature in the storms and tempests careering through the darkness, and compared her mighty boisterous power with man's struggling energies, aiming at freedom; as she at tranquillity, by the most violent means.

A. But then, why might not all this have happened in town?

B. It might very well have happened. I am far from thinking that meditation is a plant that will not grow at all in certain soils; and mean only that it will thrive better in some than in others.

A. It will thrive best, I think, where its fruits are in most request; and will ripen quickest where the rays of fame or of popularity beat hottest upon it.

B. No, Sir; it loves the shade. Those authors that throw themselves, like the witches of Lapland, into occasional trances of meditation, in order to answer the accidental exigencies of the prevailing taste, must prophesy agreeably, or their "occupation's gone." They know not what it is to listen to the still small voice of their own

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<sup>1</sup> Byron was alive when this was said.

genius, which, by drawing too near the pole of gain, like the magnetic needle within the Arctic Circle, ceases to feel the true attraction, and trembles and points as it is directed by casual influences. A great man will first understand himself, and knowing what he is fit for, will do it, without any respect to times or fashions; for he would scorn to gain the approbation of the whole world, were it possible, by becoming other than himself.

A. The world, Sir, has small respect for this literary Catonism. The maxim of St. Paul and Alcibiades, that we should become all things to all men, is in higher favour; and I suspect that he who should play the Roman in literature in this age, would, in the end, resemble your friend of Utica, with the exception that he would have no bowels to tear out in the catastrophe.

B. Well! is an author nothing but as he exists for the public? Is he but a painted screen of words? a mere phantasm that excites pleasure, or terror, or pity, but feels none? Has he not a soul like other men, with notions of dignity, honour, self-respect, that operate *intensive*, or upon himself? Did the road to fame lie over the neck of dignity, I, for one, would scorn to tread it. But let us be just to mankind; they are not so capricious or childish as many seem to believe. On the contrary, the only path to fame and lasting honour is by combating their prejudices; by showing them where they err; by divulging all the truths a man may have discovered. For let it be remembered, the human race do not stand still; and when, by the revolutions of time, they escape from any of their errors, do they look back with the same feelings on those who attacked, and on those who encouraged, their prejudices? Do they award them like honours? Do they equally cherish their memories? No; he who fosters prejudices, must be content to go with those prejudices out of date; while the publisher of truth may reckon upon being beloved as soon as that truth is recognised, and afterwards as long as it endures.

A. If your reasoning be correct, you have advanced the strongest arguments in the world against living in retirement; for where is truth so completely tolerated, and so universally diffused, as in the metropolis? There every man may hear familiarly whatever philosophy has taught; may himself become a philosopher; may catch the first glance of inventions as they ascend above the horizon.

B. No doubt he may. But it is not in being acquainted with all the ideas afloat in the community, or in possessing the power to clothe them in an agreeable form, that intellectual greatness consists. The facility afforded by London society of catching liberal notions, and refined sentiments, and the jargon of the fashionable taste, by a species of contagion, creates a class of persons who, by seeming to possess exalted thoughts, deceive themselves and others; for when they appear to think and reason, it is a fallacy; they only link together the ideas and propositions they have learned by rote. On stepping into the capital, they breathe its notions as easily as they do its smoke and stench; and when they leave it, the winds purify them from both at the same time. I have heard a dozen persons of this

class deliver the same sentiment with a face as oracular as that of a Pythoness, and with a manner as full of importance as it might be expected to be if they had discovered the longitude.

A. But these people are not the peculiar growth of the city.

B. Oh, no! but that is the grand nursery for them.

A. Well; I would have nothing to do with that class. Think only of the advantage which a person like yourself might derive from residing in the centre of civilization. I shall say nothing of what may be enjoyed in town, for to you such a parade must appear impertinent; but reflect upon the circumstances and associations peculiarly urban, that tend to confer vigour and originality on the conceptions of the mind; the vicissitudes you witness; the presence of innumerable productions of art, not to be found in small cities; but, above all, the enthusiasm excited by observing the intense *nisus* after novelty, which pervades the artists and writers of the metropolis. I am convinced that no where but in the capital can any man lay in sufficient experience to enable him to speak truly and extensively of human nature. The mere reading of a man's own conceptions, the method of study recommended, I think, by Hobbes, is not enough to unveil to a man the nature of his species, unless this reading be undertaken very late in life, and after experience and observation have rendered those conceptions copious and exact.

Besides, living in town is calculated, whatever effect it may have on ordinary minds, to produce in the thoughtful and reflecting a contempt of vulgar desires and fears, of fortune, of adversity and death. I am aware that it is usual to treat this ethical view of the subject as ineffably common-place; and certainly it is easy enough to talk morals; but, between ourselves, the acquiring of a lofty moral habit is a thing so difficult as hardly to be found practicable by one great man in an age. It were easier to be an Alexander, or a Napoleon, than an Epaminondas, a More, or a Milton. Genius is not so rare as virtue; as that virtue, I mean, which subsists upon itself, and is superior to time and place. Every thing, therefore, which tends to nourish such virtue, is to be sedulously sought; sought in the midst of men, in the place where all their great passions are congregated as in a furnace; where they blaze, and burn, and destroy the counterfeits of virtue, but leave the eternal substance itself more bright and glorious for the trial. I am in no disposition to decry riches, to panegyrisé the want of them, or to say, with Lord Byron, that death is better than life; but I will boldly affirm that no man can be either great or happy who does not prize them at their true value. It appears also to be rational that a man should be fully aware of the amount of his own importance in the world; and know in how far he depends or is independent of others; and whether it might not be to his advantage to take the keys of happiness and misery into his own hands.

B. Excuse me; but you seem to be wandering from the question. Let us keep to the advantages a town residence holds out to an author.

A. I was going to mention one.

B. Excuse my interruption, then.

A. Meditative persons are apt, when they dwell among rural objects, to imagine they are indebted for the reflections to which the presence of those objects gives rise, to the felicity of their position, as if thought, like a gold repeater, answered mechanically to the pressure of outward things. Yet they are averse to acknowledge, that similar trains of reflection are also generated by city scenes. This partiality is unphilosophical. Imagine yourself pressing through the throngs that flow between Charing-cross and the Exchange. What a spectacle for a thinking mind! At the risk of being common-place, I will enumerate two or three of its parts: by the side of the hasty bustling citizen, looking with impatience over the shoulders of the impeding crowd, moves along the supercilious, sauntering, effeminate coxcomb; behind this ill-assorted pair, or beside them, is some wretched rogue or beggar aiming at their charity or their pockets; on the other hand, is a wanton woman of pleasure, parading her tarnished beauties, once pure and lovely, for sale: these are pressed forward, or wedged together, by a "sine nomine turba," all hurrying, thronging, darting along, as if they were escaping from a conflagration! Here and there, in the road or on the pavement, is seen a hearse or a pauper's coffin, the former with plumes and mutes, the latter borne along with no pale mourners attending,—by cold-hearted, chattering ghouls, moving like ghastly visions among the multitude. Death stalks invisibly in the throng, snuffing the track of his victims, and rapidly winding up the cord with which he holds all bound, and ready to be drawn into his jaws, as soon as he comes up with them!—These are your genuine "aids to reflection." Depend upon it, my friend, no woodland solitudes, no dark forests, no midnight winds howling through yonder leafy sycamores, can ever be so generative of meditation as a ramble in the city. In its vast crowds, you seem to behold all the generations of mankind sweeping by you in phantasmagoric procession; and, hearing the dull bell tolling from the church-tower as they pass, you feel as if some necromancer's spell were draining off the waves of population, as they disappear among the dusky buildings.

B. Excellent! but I have no mind to colour my thoughts and images with the smoky hues of London. I prefer the allegro vein; and had rather my song should pour the melody of the woods, the music of the "bubbling brook," the murmur of the matin bee, upon the fancy of my reader, than the Stygian gloom of vaults and sepulchres. Death's-head declamation is to me the worst kind of poetry. I love the world; I would enjoy it; and, for the sake of my own fame, if true fame could be gained by such arts, I would not torture the bosom of my reader with an unnecessary pang. According to my conception of it, literature is meant to add to human enjoyment; and, most of all, poetry. Let it therefore be true to its original destination. For my own part, I consider myself born as much for my species as for myself; and if I cherish my own ideas, and seek to perpetuate them in verse, it is because in my own case I have found them an antidote for care and anxiety. Besides, I have observed that in

general the fancy is much more strongly tinctured with the colours that surround it, than you seem altogether to allow. The very expressions of a man who draws his images fresh from nature, like Wordsworth, whatever other quality they may have, appear to possess a beauty, and, if I may venture to say it, a fragrance that can never die away, as if they had imbibed the perfume of the buds and flowers among which they were born.

A. I am far from being insensible to the beauties of rural nature; still I must consider them less proper to nourish great thoughts, such, I mean, as mould the character to greatness, than the images that strike the mind in cities; more especially, if these latter are engrafted on warm recollections of sylvan scenery impressed upon the memory in youth. It appears to me, therefore, that you very much miscalculate your advantages if you suppose that your poetry will imbibe from woods and mountains a tinge, if I may so express myself, of the hues of nature. Shakspeare and Milton lived chiefly in cities, and yet they appear to have infused all the grandeur, the beauty, the exquisite freshness of nature, into their incomparable lines. Never heed the Southey's and the Wordsworth's, with their pastoral cant. The imagination is not shut up between stone walls, because the body may happen to lodge in Fleet-street or the Strand. It recurs, by day and by night, to the old scenes of youth and love, and covers them with the more beauty that the evidence of the bodily eye cannot mar its visions. Think again of poor old Milton, when he planted the flowers of Paradise in our language. No lakes, nor rivers, nor woods, assisted his fancy. He was blind! But why speak of examples; what beautiful scenes on real nature are half so bright or beautiful as the sun-lit meadows, emerald groves, and crystal rivulets, that rise or roll before us in our dreams?

B. I am not convinced. Nor was Milton of your opinion.—Throughout life he loved the vernal sun, the shady walk, the musing groves. His letters are full of this preference. And if he has, in spite of blindness, transplanted the flowers of Paradise, as you say, into our language, does it follow that, with the advantage of which he was deprived, he would not have naturalized others still more exquisite? No, you are unhappy in your examples. Both Shakspeare, as far as we know, and Milton, loved nature better than art; and we have almost deified them for it.

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Thus our dialogue concluded; and though I strongly differed with him at the time, I afterwards found that his ideas, like the seeds of ripe flowers, had been shaken by the storm of argument into my own mind, there to take root, spring up, and choke my own notions.

## THE FOURTEEN GEMS.—A HINDU LEGEND.

## No. II.

## VII.

ALL that the hoary waters boast,  
 Floats lifeless, near the lab'ring host.  
 The rustling sounds of Mandar's trees,  
 The wild discordance of the breeze,  
 The roaring beasts, th' alarmed birds,  
 In Swerga's golden courts are heard :  
 Join'd with the storms such yells they make,  
 That all creation's barriers shake,  
 And Yama, from his cells of night,  
 Springs upwards trembling to the light ;  
 The cursed beneath at once rejoice,  
 They deem they hear the Kalki's voice.—  
 A dark blue cloud <sup>1</sup> is seen to ride  
 Above in atmospherio pride,  
 Surcharg'd with storms and vengeance dire,  
 And Siva's bolts of noxious fire :—  
 Meanwhile, one vast continued blaze  
 The confricated mount displays,  
 With smoke, that 'round its volumes curls,  
 And swift its flaming globules twirls ;  
 Whilst, in that cloud, huge masses roll,  
 Loud roars th' artill'ry of the Pole.  
 The lions flee, the bears retreat,  
 Yet soon the hostile flames they meet ;  
 And all that deck'd the mount of yore,  
 Involved in flames, is seen no more ;  
 The Earth and Heav'ns are wrapt in fire,  
 And Pat'la belches fiercer ire ;  
 'Till Indra, from his boundless stores,  
 A sea of water on them pours,  
 And hurls congealed floods below,  
 Of pelting hail and flaky snow.

## VIII.

Saraswati,<sup>2</sup> whose daring reins,  
 Aloft, through Heav'n's ethereal plains,  
 Imagination's chariot guide,  
 And o'er Invention's steeds preside,  
 Descending on some lucid beam,—  
 Oh ! strike on Earth the wond'rous theme !  
 For, lo ! the gods,<sup>3</sup> who raised the storm,  
 The milky ocean's waves transform :—

<sup>1</sup> Chief Mahābhārata.<sup>2</sup> The Goddess of Invention, Brahma's Sacti.<sup>3</sup> Chief Mahābhārata.



Concocted juices on them flow,  
 And swim in creamy vales below.  
 The melting gold, and juicy stream,  
 Convert the ocean into cream;  
 In frequent piles, around the tribes,  
 The butter on its surface rides.  
 Once more they churn: they strive, they vie,  
 And on the passive Naga ply.  
 O waves of life! their actions roll  
 To endless realms, beyond the Pole!—  
 Fancy,<sup>4</sup> awake, and burst thy mental sleep!  
 Behold the Moon emerging from the deep!  
 Ten thousand beams of light serene  
 O'er his gentle visage beam:<sup>5</sup>  
 His modest eye, his golden hue,  
 Seem'd framed for a virgin's view.  
 Up to the skies he urged his way,  
 And glimmer'd, at the end of day.  
 The mighty god<sup>6</sup> from Mandar's height,  
 Beheld, amaz'd, the awful sight,  
 And kenn'd that energy on high  
 Irradiant in the spangled sky:  
 "Be *thine* (he said) to rule the night!  
 To *me* the day must owe its light."

## IX.

Behold! again, they churn the main!  
 Another gem rewards their pain.  
 Placed in the lotos' graceful seat  
 With ev'ry heav'n-born charm replete,  
 Abundant Lakshmi<sup>7</sup> rising from the foam,  
 In Vishnu's arms obtains her welcome home.  
 Lo! Suradévi<sup>8</sup> rears her head!  
 And Pushpa-Vrishti<sup>9</sup> on her shed  
 Heav'nly flow'rs of gorgeous hue,  
 Odours steep'd in Swerga's dew;  
 The stars shoot through the vast expanse,  
 And seek to gain a transient glance.—  
 Again the mighty ocean raves,  
 Infuriate foam its quiv'ring waves,  
 Whilst Uchisrava<sup>10</sup> sprang to light,  
 And hail'd th' astonish'd churners' sight.  
 Eight heads, which beat the yielding air,  
 His sacred origin declare.

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<sup>4</sup> Chief Mahābhārata. These gems are arranged in different orders by different writers.

<sup>5</sup> Chandra, or the Moon, which is *masculine* in Sanscrit.

<sup>6</sup> Vishnu is identified with Surygi, or the Sun.

<sup>7</sup> The Goddess of Fortune and Beauty, called also Shri; Vishnu's Śakti.

<sup>8</sup> The Goddess of Wine.

<sup>9</sup> Heavenly beings, whose office it is to scatter celestial flowers.

<sup>10</sup> Indra's eight-headed horse.

Kustub'ha's <sup>11</sup> rays transcendent shine,  
 Next, on the Deva's host divine :—  
 With one consent, these legions blest,  
 The prize fix'd on Narayan's breast.  
 At length, amidst the reflux throes,  
 The wond'rous Parijah <sup>12</sup> arose ;  
 What lyre an anthem fit can raise  
 To celebrate its deathless praise ?  
 To sing its gifts, and varied power  
 Renew'd, in each successive hour ?  
 Its boughs with fragrant clusters bent,  
 Each wish, <sup>13</sup> ere it be formed, prevent :  
 'Twas will'd, that Indra's paradise alone  
 So bright a gem of such vast worth should own.

X.

Proud, from the ocean's troubled base,  
 Surab'hi <sup>14</sup> stalks with lordly pace ;  
 Great Kamad'hok ! thy fame inspires  
 With countless themes the Gopyan <sup>15</sup> lyres !  
 As she arose, the Moon in Heav'n's bright plain,  
 With Sura-Devi in his gorgeous train,  
 And Lakshmi with the gallant steed pursue  
 The solar course, these strange events to view.  
 They mark'd D'hanwautar <sup>16</sup> cleave the surge,  
 And from the milky tide emerge :  
 Death from his healing aspect shrank,  
 And to the shades of Yama sank.  
 Advancing slow, 'twixt either band,  
 He bears a chalice in his hand ;  
 Its lucid hue, so vastly bright,  
 Dazzled each Deva's longing sight ;  
 Within, the much-sought Amrit <sup>17</sup> lay,  
 For which they toil'd by night and day.  
 Myriads rush forth to claim the draught their own ; <sup>18</sup>  
 Here Brahma fights, there conquer'd Daityas groan.  
 Vishnu assails the foe ;—their legions spring,  
 And rashly brave Kshiroda's <sup>19</sup> awful King ;—  
 Lord of Avatars, firm in might he stands,  
 And issues forth his terrible commands.  
 Indra descends, and soon the strife foment's ; <sup>20</sup>  
 His tortile rage on friends and foes he vents.  
 The Ilakshas <sup>21</sup> tribe support their fainting friends,  
 Th' Asuran <sup>21</sup> host their yielding rear defends ;

<sup>11</sup> A jewel of inestimable value and miraculous powers.

<sup>12</sup> An all-yielding tree, like Mohammed's tuba.

<sup>13</sup> So say the Indian Poets.

<sup>14</sup> The universal boon-granting Cow.

<sup>15</sup> The lyre of the Indian Muses.

<sup>16</sup> A Physician, the Indian Esculapius.

<sup>17</sup> Amrita, or the nectar of immortality.

<sup>18</sup> This account is mostly taken from the Mahab'hārata, and differs from many others.

<sup>19</sup> Vishnu.

<sup>20</sup> Indra is so represented on this occasion.

<sup>21</sup> Evil spirits.

But Sid'has and Gaudharvas<sup>22</sup> join,  
With eager zeal, the heav'nly line,  
And panting for some valiant deed,  
In cars of lucid glory speed.

## XI.

Round Kinniras<sup>23</sup> the warlike tempest plays,  
And gallant Dund'hubis fresh slaughter raise ;  
(As when the vast machinery of the clouds  
In baleful mists the azure concave shrouds,  
Fights with the winds, whilst round the lightnings stray,  
Whirls the dread bolt, and horrifies the day;)   
Until the mighty ocean's roar  
Recals them to their work once more ;  
First, after this terrific fight,  
Huge Iracat<sup>24</sup> arose to light,  
Doom'd Indra's Vahan to become,  
In Swerga's courts he seeks his home.  
Below the foam a trumpet sounds,  
And from the mountain's sides rebounds ;  
Then, with its glitt'ring beauties fair,  
Victorious Shauk uprose to air.<sup>25</sup>  
Conquest slept within its side,  
Floating with it on the tide.  
At length, the waves yield the Danushan<sup>26</sup> bow,  
Whose strings an erring aim can ne'er bestow ;  
And, shortly, R'homba's<sup>27</sup> beauteous face is seen,  
The essence of Vaikolntha's<sup>27</sup> peerless queen.  
Tribute fore-doom'd to pay unto the grave,  
Bikh<sup>28</sup>, lastly, rose from the disorder'd wave.  
And, whilst the Gods with lab'ring hand  
Around the much-whirl'd mountain stand,  
The deadly pois'nous mass of fire  
Spreads far and wide with baleful ire,  
Till Earth and Heav'n are robbed in red,  
Till ev'ry God to Siva sped,  
Dread Nilacanth<sup>29</sup> I who drank the fateful tide,  
Whose streams his throat divine to azure dyed.

## XII.

Then burst the fray with renovated might,  
Then sought the Daityas the abandon'd fight.  
Th' Asuran host arise in arms,  
Burning for Shri's all-pow'rful charms ;

<sup>22</sup> Good spirits.<sup>23</sup> The elephant with three proboscides.<sup>24</sup> A shell, conferring victory on its possessor.<sup>25</sup> Danusha, a bow which never errs.<sup>26</sup> An Apsara, who is identified with Shri in this mythology.<sup>27</sup> Vaikontha is Vishnu's palace.<sup>28</sup> Poisonous matter ; I suspect it to be medicinal drugs, φάρμακα, but I have retained the legend.<sup>29</sup> Siva, so called from this circumstance.

As one with the other vies,  
 Rahu steals the Amrit-prize.  
 Siva, on this side, leads the dire array,  
 And marks the order of th' eventful day;  
 The fiends, on that, their barbed jav'ins fling,  
 And dare the horrors of the vengeful king.  
 Meanwhile, Mohini Maya's<sup>30</sup> charms appear,—  
 The fight is hush'd,—the Daityan chiefs draw near,  
 And seek, perchance, to gain a smile  
 From her whose art is to beguile,  
 Heedless, that Vishnu that fair form conceals,  
 And that disguised the sacred Lymph<sup>31</sup> he steals.  
 He quaffs immortal Amrit's flood,  
 And then his fateful arm descends,  
 Which Rahu's<sup>32</sup> course of treach'ry ends.  
 Now, he returns to scenes of blood,  
 Where battle-axes cleave the air,  
 The vehicles of wild Despair.  
 The Chakra<sup>33</sup> whelms in death the Daityan hosts,  
 And Pati's<sup>34</sup> blade fresh acts of triumph boasts.  
 The Sun, from his resplendent car,  
 Foments the wound-exulting war,  
 He robes his face in deepest blood;  
 The Heav'n's run down a crimson flood.  
 Sudersan cleaves the wond'ring skies,  
 Then to its warrior-master flies;  
 Narayan takes Nar's heav'nly bow,  
 And lays full many a chieftain low.

XIII.

But Sudersan's celestial fire  
 Is doom'd the godlike force t' inspire;  
 Its might the Earth's foundation shakes,  
 And Swerga's self in terror quakes.  
 Tardy Hau'sa<sup>35</sup> Brahma bears,  
 Where he many conflicts shares;  
 His Nandi Mahá Déva rides,  
 And Vishnu swift Garuda<sup>36</sup> strides,  
 Whilst Iravat, of matchless might,  
 Brings Indra to the raging fight.  
 Fish-borne Varuna leaves the deep,  
 Expecting some renown to reap.  
 Meanwhile, the sage Ganesa<sup>36</sup> sat  
 Upon the ever-wary rat,

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<sup>30</sup> Personified illusion, continually introduced in these fables.

<sup>31</sup> Amrita.

<sup>32</sup> A curious personage, or Daitya, who had stolen it, and imbibed some of it; the legend is simply astronomical.

<sup>33</sup> Various divine weapons.

<sup>34</sup> The swan, Brahma's Vahan; some say the goose.

<sup>35</sup> Vishnu's Vahan, an animal between a man and an eagle, swift as the winds.

<sup>36</sup> The God of wisdom and policy, always on a rat.

Proboscis-arm'd supremely great,  
 Disdainer of the shafts of fate.  
 Vrihaspati,<sup>37</sup> whose eyes creation scan,  
 And Heav'n of old encircled in a span,  
 Rode on the lofty wings of Skill,  
 And bade th' eternal mind on earth distill.  
 Next, clouds of fire th' approach declare  
 Of ram-borne Agni<sup>38</sup> through the air ;  
 Whilst, drawn by " seven coursers green,"  
 The flaming Suriya<sup>39</sup> was seen :  
 In rays of light, 'midst clouds of azure hue,  
 The glitt'ring god arose to view,  
 And crowds of tuneful genii came,  
 With modulations hymning forth his name,  
 Here, Yama rode :—there, down the smiling sky,  
 Behold the gay-plumed peacock swiftly fly,  
 And Kastik'eya,<sup>40</sup> gen'ral of the Pole,  
 With skilful hands th' obedient reins control !

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<sup>37</sup> The Gûru of the Gods.    <sup>38</sup> The God of Fire.    <sup>39</sup> The Sun.

<sup>40</sup> The God of War, and the General of Heaven.

(To be concluded in our next.)

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#### OPINIONS OF A CHRISTIAN MISSIONARY ON THE POWER OF SUMMARY BANISHMENT FROM INDIA.

SIR,—Conceiving it desirable that all classes of residents in India, who are of opinion that the power of transportation without trial, possessed and exercised by the present Government of this country, is unnecessary, dangerous, and liable to great abuse, should express their opinion strongly and frequently, I beg to offer my humble example, which I trust will be followed by many others.

To me this power appears inconsistent both with our interest and our duty as a nation: our interest, which is to maintain and consolidate the British rule in India; and our duty, which is to enlighten and improve the millions subject to our sway. Nothing will prove more conducive to the attainment of these ends than the temperate and unfettered discussion of every subject in religion and politics, science and literature; and nothing will prove more fatal to ourselves, or injurious to our Native subjects, than the exercise of an arbitrary power like that of summary transmission for the punishment of crimes cognizable by the law. The one will beget attachment to the British nation, and confidence in the protection which it affords;—the other will sow the seeds of suspicion and distrust, and give an effectual blow to those plans of improvement which delight and engage the christian and the philanthropist.

What can be more inconsistent than the conduct pursued by the Government of this country? Both governors and governed are alike

convinced of the advantages enjoyed by the Natives under British rule, compared with the state in which they were, either under their Native Princes, or Musulman conquerors; and yet the former act as if conscious of guilt and fearful of exposure; as if public oppression, or secret injustice, was the only characteristic of their reign.

Who, that reflects on the subject, can doubt that the power exercised by Government is unnecessary? *Against* whom is this power exercised?—Against a few isolated individuals who can do nothing against the Government if they would; against British-born subjects who would do nothing if they could; against men whose birth and education, whose feelings and interests, form the surest pledge that they will seek the permanency of British power in India. *By* whom is this power exercised?—By a Government which, more than any other Colonial Government that perhaps ever existed, has secured the affections by seeking the welfare of its subjects; and which, in the event of invasion or insurrection, has 150,000 troops ably commanded, fully disciplined, well fed, paid, and clothed, with the incalculable resources of its own territories, and dependent Native states, to back it in the maintenance of its power.

Who can fail to perceive that this monstrous power of punishment without trial is liable to abuse? In a country where the supreme power is absolute, and this absolute power rests in a single individual, the personal pique of that individual, or of any one of his numerous friends and dependents, may find a speedy and an easy gratification in the exercise of a power which the legislation, in bestowing it, intended should be employed only against public delinquents for the public good.

As this power is unnecessary, and liable to abuse, so it is highly dangerous. The natural tendency of the exercise of this power is to suppress all liberal and independent discussion, and in proportion as this is effected, abuses and injustice will strengthen and increase. As these increase, a dissatisfaction with our Government will be generated in the Native mind, which, not finding vent, but strengthening with increasing evils, will finally explode in some dire calamity.

But it is *impossible* to suppress all discussion. The Government may, by the strong hand of power, gag its British-born subjects, but the Anglo-Indians and Natives have both learned the right, and have acquired some facility in, the exercise of free discussion. The effect, therefore, of measures similar to that which has been lately adopted; will be to throw the press entirely into the hands of these two classes, subject as they are only to the verdict of a jury, and to the sentence of the law. As, however, the permanence of the British Government affords the only prospect of Native improvement, so it is principally through the writings of British-born subjects that that improvement can be effected. Any measures, therefore, which leaves the Native press free and unfettered, except by law, whilst to the British conductors of the press it holds up the terrors of summary transmission, can be looked upon in no other light than as taking away the key of knowledge, and as calculated to perpetuate the reign of ignorance

and superstition. And thus the Government, instead of seeking to rest their power on the immoveable basis of public opinion, enlightened by knowledge and corrected by free discussion, seem to aim at nothing higher than to maintain a military despotism, which will tumble to pieces on the first concussion it receives.

In the view of *your own* late forcible expulsion from this country, it must afford you considerable satisfaction to reflect on the advantages that have already resulted from your labours. You have occasionally advanced sentiments which, if I properly understand them, I cannot approve; yet the general tendency of your writings I must consider as conducive in a very high degree to the spread of useful knowledge and true religion. The most valuable effect of your labours has been to excite a spirit of inquiry in India, to a greater extent than the labours of Missionaries have been able to effect for these twenty or thirty years. This is all that the friends of knowledge, virtue, and religion want. Let them be fairly exhibited, and their claims fully discussed, and ignorance, vice, and *irreligion* will gradually disappear. Inquiry and free discussion will most effectually undermine the whole fabric of superstition, while, at the same time, they will most effectually consolidate our power, by furnishing information to the legislation at home, aiding the Government in India, purifying the streams of justice, and confirming the attachment of our Native subjects.

A MISSIONARY.

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#### REFORMS REQUIRED IN THE BENGAL ARMY.

*To Lieutenant-Colonel Watson, Adjutant-General of the Bengal Army.*

SIR,—You have recently assumed the duties of Adjutant-General of the Bengal army, and the military part of the Bengal Presidency look up to you for a determined and much wanted improvement in the Native infantry branch, as well as to uphold the welfare and interests of the army you have the proud honour to represent, both with the Government and the Commander-in-Chief; and let us behold the worthy days of respectful manly uprightness, and independence of character, shine in your department.

It is vain and useless longer to deny that the service has not fallen in the estimation or value of the Natives. Most corps formerly had *supernumeraries, without pay, at drill, wanting vacancies in the ranks!* Now it is not so, is equally certain, and recruiting is difficult! One of the grand causes of this is the lamentable manner in which the sepoys have been overworked, from the want of a sufficient number of regiments of the line for the various increased duties, and the twelve new extra corps (six only officered, when you have captains of twenty-two and twenty-four years in the army,) will yet be insufficient to keep the corps somewhat together, and establish the new

system of field movements laid down for the army, and recover its late rescinded discipline and confidence. In time of peace, keep up your troops as in time of war, then take the advantage of re-establishing regimental and brigade systems, and a small code of regulations, burning your Green, Corroo, and Henley, and all other standing orders, which cry out shame in their present extended form, and are a cart-load for any staff when marching in the field.

*Local corps* are the entire ruin of the Bengal regular army, and until these are re-formed as regiments of the line, properly officered, and moved as other regiments from the garden of recruiting, no improvement can be anticipated, draining the European officers as you now do from the line to fill these; and, in like manner, as local corps are kept at the expense of the officers at large in the loss of promotion, consequently, competency to retire from the service, contentment will never exist in the feelings of your European officers. So truly are these the patronage of the Governor-General, that it is not surprising to find commanding officers (very generally) follow the example of this high authority, and aim in keeping the promotions of havildars and naicks in their exclusive gift, rendering the rules of the service and captains of companies little better than ciphers in the eyes of the men; so that the authority they should possess is nugatory. More attention should be paid in granting the indulgence of furlough to the sepoys—it keeps up the chain of connexion with the villagers, and most of the local and provincial corps are stationed in and about the neighbourhood of their homes, having constant communication with their families; whereas, in the line, it falls to the lot of an individual in about eight or nine years, and then the expedition with which he must travel to be at home two or three months out of five or six of leave, frequently sends him to hospital on his return to the corps, and perhaps costs him his life from over fatigue and badness of the season in which he is doomed to journey. The local and provincial corps are always in the cheapest part of the country, and you expose the regulars to the most expensive of the provinces. Regiments should be always of sufficient strength to allow the indulgence of furlough from February to September of each year; it is now the third year since this favour of Government has ceased in consequence of the war, and it is likely to continue three years more with the present weak divisions employed in the enemy's country.

Are you aware that commanding officers refuse men their discharge after the expiration of enlisting engagement in the time of peace? An average exists of sixty men in each corps wishing to leave the service, and this is denied them year after year; some consequently desert, and you punish them if retaken on this crime. Is this the law of consistency? Is it a pledge of faith in the day of trial when you look for the conduct of the sepoys? Granting men discharges when solicited, in proper season, in cantonment, lessens the applications, and you would have hardly occasion for that thoughtless desertion order issued some time ago. You should have known the contempt in which



the sepoys and Natives hold your police; and in Oude, your grand recruiting depôt, you *dare* not enforce the order, from a fear of creating open rebellion throughout your dominions. It has, however, served to make *desertion* dreaded, which was before quite *unheeded*! Are you aware the Bengal sepoy is worse paid than the Madras and Bombay, and that the Bengal sepoy must have an increase of allowance after a certain term of service, or some like method, before your ranks in the army will be refilled by respectable sons of zemindars? As I have before observed, the service has been on the decline for years. The Madras and Bombay armies have of late been well looked after—their wants respected; the Bengal army has been neglected, the minds of your European officers dissatisfied by the continual increase of local regiments on the Bengal side, blasting their present and future prospects of rising to command till thirty-five or forty years' residence in the country; disgust has taken possession of their minds, and the *esprit de corps* has ceased to exist.

The Madras army, which recruits many men in the Bengal provinces, now have their ranks supplied from the very country where the Bengal army cannot procure men; this is the strongest proof of what I have before asserted, if such indeed were wanting. Endeavour then to make the employ worthy of *consideration* to the men you enlist for the protection of the colours of a corps. You must expect the retention of India will yearly become more difficult, and the next ten years will not pass so quietly as those gone by,—so on till dominion ceases!

It is much to be doubted how your enlisting men for general service will answer on the day of trial—the hour of embarkation; the old method is the best perhaps, followed by *Lord Hastings* for Ceylon volunteers. The system of the present day does not appear to fulfil the expectations; and “hanging in chains, and irons on the roads” has been given up with better judgment than that which instituted the punishment. Hereafter, you had better have recourse to a six-pounder at the moment, than disgust the army by proceedings which caused a general flight from the standard, when death would have been thought nothing of.

The muskets served out to the Native regiments are *inferior* to those supplied to his Majesty's troops at home; so are the accoutrements; and the pouches in use are of the worst description, arising from the wooden blocks; the coat of a sepoy has been a little improved by Sir Edward Paget, and the trousers, it is hoped, will fall under the eye of the new Commander-in-Chief; they are generally *infamously* cut, and, on the first wetting, the trousers become regular *tight pantaloons*. Great-coats should be supplied to the Indian army, European, and Native, by the state; then the blanket used by the latter in the cold season might be cast aside, and sentries thus would be more alert on their post, and have the advantage of hearing quickly, which the blanket rolled around their head and ears now prevent.

AN OFFICER ON FURLOUGH.

## STATE OF FEELING IN THE BOMBAY ARMY.

*To the Editor of the Oriental Herald.*

SIR,—Numerous and well-founded are the complaints from every quarter of the great want of troops. At most stations of the Bombay army, one regiment is obliged to perform the duties of two or three, to the total destruction of all discipline, and disgust of the men, who are driven to desert in alarming numbers, from the total want of all consideration for their feelings or comforts. So short-sighted are our present rulers, that they do not see, or if they see, they do not heed, the fearful results likely to arise from the present mode of treating the Native troops. Formerly, the duty, though sufficiently hard, was nothing to the intolerable fatigue and mortification to which the sepoys are at present subjected; recruits were then to be found in abundance; to recruit within our own territories is now impossible; scarcely a decent man will enlist; the Government know it; and I venture to predict, that unless an immediate reform takes place, in a very few years we shall be without a Native army. There is no want of men; on the contrary, there are plenty; but the Native population have taken a general dislike to the service, which is daily spreading wider, owing to the accounts given by deserters of the hardships the men endure, and the disgusting duties they are called on to perform. At this, our principal station, three Native regiments are requisite to do the ordinary duty, without harassing the men—we have only got *one*! There is a battalion, it is true, but being lately embodied, and undisciplined, they cannot be brought on duty. The war with the Colapore Rajah has taken away the rest, and the European troops are only put on regimental duty. All this cannot be helped—Europeans *ought not* to mount guard in the heat of an Indian sun, and the public service must be performed; that which I do complain of is this, that not a civilian can stir, east, west, north or south, without a requisition being made for some unfortunate sepoy to inflate his pride and vanity, which, God knows, in many of them, does not require such incitements. Will it be believed, that with only 800 men to do the duties of 3000, two parties, EACH consisting of a Native officer, two havildars, and fifty rank and file, were marched near fifty miles from Poona the other day, as an escort merely!

The Government, indeed, ought not to be surprised at desertion and disaffection thinning the sepoy ranks, and feelings of dissatisfaction being entertained by the European officers. Yet, when abuses are occasionally brought to notice through the medium of your publication, out comes a thundering Government order, and we are threatened with deportation and dismissal if we even correspond with you! Yes, Sir, such are the terms and threats under which I now write to you! At the same time, as if in mockery, we are asked why we do not re-

present our grievances to the proper authorities? Such drivelling is really contemptible; it is like asking a starving man in the desert why he does not eat?—we might as well talk to the winds as complain to the authorities. Whoever should have the temerity to do so, would instantly be set down for punishment. Why, if the writer of the article signed “A BOMBAY OFFICER,” in the 18th Number of the ‘Oriental Herald,’ was known, although his letter is moderate, and he points at nothing but truths, he would instantly be deprived of his commission; and had he ventured to address Government in the same sensible style he did you, immediate banishment to the most unhealthy station in the army would have been the reward of his zeal. God help him if ever he is discovered—he is a marked man. If civilians cannot move without escorts, why not furnish them from the host of subadars, locals, &c. &c., who swallow up such an enormous portion of the revenue, and are absolutely useless? Indeed, the only way I have ever seen these gentry employed, and that has been pretty often, was running before collectors’ palanquins, and mounting guard over their persons! By the by, I should beg pardon for saying they are useless,—they furnish patronage, and consequently are particularly useful. But why, I ask, should civilians, moving about within the British territories *for their own pleasure*, have any escort at all? It is what a soldier never requires, let his rank be what it will, and indeed he would not get it if he did. The *sopoy*s have a particular aversion to these duties. I passed an escort of the description alluded to some time since, and many of the men came after me several miles, to the bungalow at which I put up, complaining that they had to mount sentry over cooks and mussauls, and that orders were given to them by servants and chobdars, which they were obliged to obey to avoid punishment. These men appeared keenly to feel the indignity they suffered, but I could give them no comfort. To bring this to the notice of Government here, would be worse than useless; it would infallibly ruin my prospects in the service; the Editors of the newspapers *dare* not publish this or any other statement pointing out the misconduct of those in power; my only hopes, therefore, are, that you will give it insertion in your unfettered publication, when I *know* it will reach the eye of authority here, and may perhaps induce some public-spirited individual at the India House to interest himself in causing an inquiry to be made into the manifold abuses of the Indian army.

ANOTHER BOMBAY OFFICER.

In the Deccan, Dec. 1825.

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INJUSTICE OF GIVING OFF-RECKONINGS TO LOCAL AND  
PROVINCIAL OFFICERS IN INDIA.

*To the Editor of the Oriental Herald.*

SIR,—In a marginal note in your 'Oriental Herald' of March 1826, page 501, I was surprised to see the conduct of Lord Amherst lauded for not having carried into effect the orders of the Honourable Court of Directors respecting local and provincial officers receiving off-reckonings. Sure I am that officers under the rank of a colonel of a regiment, receiving off-reckonings, is a severe hardship on the colonels themselves, while there are, at least, 100 colonels of regiments at this moment in receipt only of their bare pay of 25s. per day, the greater part of whom will not, for these ten years to come, be in receipt of their off-reckonings, although having served, many of them, for thirty years. It must be painful to them to see so much younger men in receipt of large allowances, of a name and nature never intended to be given but to the highest rank. Those local and provincial officers are, almost without an exception, the pets and protégés of persons high in office, whose delight is to free those favourites from all military authority whatever. The condition of those kind of officers is made so perfectly agreeable, that when by any chance these darlings come into a camp composed of troops of the line, and any attempt is made to make them perform the duty of the regular troops, they have recourse to private representations to their civil chiefs to interfere on their behalf. Indeed, it is perfectly well known that a civil officer has so far interfered, as to tell a military officer of high rank, that he had better leave Captain or Lieutenant so and so alone; and when it has been found impracticable to give these local officers the indulging exemptions required, they have been withdrawn altogether from the scene of service. These local corps are, in short, useless except in name; they are destructive of the discipline of the regular troops, who, instead of being kept together in camps or garrisons, are positively sacrificed, so far as it regards discipline, to the accommodation of local battalions. While regiments of grenadiers and regiments of the line have been broken up and detached, into five and six men at a time, as bullock-parties, escorts, &c., merely to keep 2000 or 3000 local troops as a body-guard to a civil commissioner, the writer of this has seen a far-famed regiment of grenadiers, originally 1000 strong, which, on being mustered for inspection, did not consist of more than a few officers, the band, and some fifty or sixty privates. No military officer of the highest rank can prevent this; while the requisition of a civil officer has a power equal to steam, the slighted representation from such a personage is equal to a machine of sixty-horse power. The practice of local and provincial officers receiving off-reckonings, is an injustice crying aloud for redress. Is not a captain, relieved from his own regimental

duties, placed in command of a local battalion? Is he not paid sufficiently, in a monthly allowance of not less than 800 rupees a month? And after this, ought off-reckonings to be also added? It is impossible that the Honourable Court of Directors can longer permit such a job of jobs to continue. The pay of an officer is doubled by sending him to command a local battalion. His duty in that command is lessened to such a degree, that it cannot deserve the name of military duty; yet his purse, already full to overflowing, must be crammed with off-reckonings! I have known the effects of a lieutenant-colonel, on his decease, not sufficient to pay his debts, caused chiefly by active field-duties and liberal behaviour to his brother officers; while in garrison, a local officer, a captain, nursed in campaign and easy duty, has died of surfeit worth from 40,000 to 60,000 rupees. It is this which is going far to extinguish the military spirit in India; and let the Honourable Directors, if they regard the true welfare of their army and the safety of their empire, look to it before it is too late.—I am, Sir, yours,

A FRIEND OF MANY YEARS' STANDING.

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COMPARISON OF DR. FRANKLIN'S AND DR. GILCHRIST'S  
UNIVERSAL CHARACTERS.

*To the Editor of the Oriental Herald.*

SIR,

11, Clarges-street, 14th March, 1826.

YOUR former ready insertion of my communications on Oriental orthæpigraphy and a universal character, applicable to English also as a catholic tongue, induces me again to occupy, with your leave, a certain portion of your valuable miscellany.

In this manner, let me indulge the fond hope that my scheme, contrasted with the celebrated Franklin's, will soon be either censured or praised by some of the Oriental Herald's intelligent readers, lest their hints and emendations might come too late, as I am on the eve of adopting the projected universal system, as the *ne plus ultra* in this department of all my works, after having bestowed the most serious deliberation on so important a branch of them for many years of a life almost completely engrossed by such practical pursuits.

Though my real signature be affixed to this address, it is not incumbent on those gentlemen who may wish to contravert any opinions of mine to follow my example in this respect, so long as their sentiments are couched in terms and language proper for them to use, or me to receive from anonymous opponents.

I remain, Sir, your very obedient Servant,

JOHN BORTHWICK GILCHRIST.

*scheme for a new alphabet and reformed mode of spelling; with remarks and examples concerning the same; and an enquiry into its uses, in a correspondence between a lady and doctor franklin, written in the characters of his proposed alphabet.*

in this alphabet only six new letters will be found, *Ch, y, ſi, η, h, η*, while an equal number of the old ones have been rejected. thus *c* is omitted as unnecessary; *k* also supplies well the place of *q*, and with an *s* added, the place of *x*: *q* and *x* are therefore omitted. the vowel *u* being sounded as *oo*, makes the *u* unnecessary. the *y*, where used simply, is supplied by *ſi*, and where as a diphthong, by two vowels: that letter is therefore omitted as useless. the *jod j* is also omitted, its sound being supplied by the new letter *ſi ish*, which serves other purposes, assisting in the formation of other sounds:—thus the *ſi* with a *d* before it, gives the sound of the *jod j* and soft *g*, as in “james, january, giant, gentle,” “*dſeems, dſhanueri, dſyant, dſentel*,” with a *t* before it, it gives the sound of *ch*, as in “cherry, chip,” “*ſheri, ſhip*,” and with a *s* before it, the french sound of the *jod j*, as in “jamaica,” “*ſſame*.”

thus the *g* has no longer two different sounds, which occasioned confusion, but is, as every letter ought to be, confined to one. the same is ~~to~~ be observed in all the letters, vowels, and consonants, that wherever they are met with, or in whatever company, their sound is always the same. it is also intended that there be no superfluous letters used in spelling; i. e. no letter that is not sounded. and this alphabet, by six new letters, provides, that there be no distinct sounds in the language, without letters to express them. as to the difference between short and long vowels, it is naturally expressed by a single vowel where short, a double one where long; as for “mend,” write “*remain d*,” write “*remend*,” for “*did*,” but for “*deed*,” write “*diid*,” &c. what in our common alphabet is supposed the third vowel *i*, as we sound it, is a diphthong, consisting of two of our vowels joined; [*viz.*] *y* as sounded in *ui* of “unto,” and *i* in its true sound. any one will be sensible of this, who sounds those two vowels *y* *i* quick after each other; the sound begins *y* and ends *i*. the true sound of the *i* is that we now give to *e* in the words “*deed*, keep.”

for the nature and intention of the alphabet, &c. franklin's editor refers at once to what has been said on the subject, in answer

to the young lady's objections; and as both letters may be deciphered in two or three hours' study, they will be found worthy of adequate attention by every inquisitive reader who feels interested in the dissemination of the english language as a universal tongue.

on the self-same premises *U S* form *US*, not *YOS USE*, nor *OS*, but *US* only, because the cross in *U* debars its possessing above one simple *u* or *o* as heard in *up*, *sun*, *pun*, never *op*, *son*, *pen*; whence, also, *u*, of *pau*, is not *a* of *papa*, nor *e* of *pape*. *peper*, the whole being perfectly distinct vowels, however much they are thus abused by us.

from the panglossal prospectus, the reader will instantly perceive the superior claim which my universal grammar has to general adoption over its numerous rivals, in the opinion at least of considerate people, who cannot deny any very alluring beauty in letters, merely because they seem strange, intricate, or antique; and consequently are of difficult acquisition, compared with these plain, common characters, which look like old acquaintance at the first glance, and are accordingly but too apt to be despised by literary corcombs, who prefer worthless exotics to the most precious of our own indigenous productions, in many verbi-cultural pursuits.

for instance, the chinese symbols are beginning to be idolized in europe by the learned, both for their mystical properties and uncouth shapes, like so many towers of babil, to confound learners on the road to science, than intelligible finger-posts to indicate the best, easiest, and shortest way to truth and perfection of any sort.

wherever useful literature twinkles through such hieroglyphic signs in a cyclopedial zodiac, the sun of mental intelligence must labour under an everlasting eclipse, favourable only to national ignorance and brutality, the two fertile hotbeds of superstition and abject slavery: whence despotisms, in regular gradations, spring from every concentric circle of misrule in the state, as so many deleterious mushrooms raised upon a dunghill—amphitheatre of venal corruption—that speedily infects the whole mass of the community with a servility of mind, and debasement of body, to which no miserable jackass, if half as rational as balaam's, would ever stoop for a single day of its life, though whole nations of bears, bulls, mules, and monkeys are, in these debasing times, all grovelling at the feet of despotism in the dust, to elucidate in this manner the dastardly propensities of such slaves.

the chinese, with all their arts and mysteriousness of erudition, appear to have commenced in slavery, have continued as the vilest helots, and will remain so till the end of their social chapter, unless they resolutely exchange the existing preposterous methods of speaking and writing, for some better mode, or adopt my universal plan, acquirable in one twentieth part of the time requisite for mastering even their own vernacular tongue, which has no proper grammar whatever, in common with all other civilized people: it cannot therefore, as such, appear in the pantagrapical contrast among the rest, except by its congenial prosies from the roman characters.

## EXAMPLES [of writing in this Character.]

So huen sym endsiel, byi divyin kamand,  
 Uih ryiziny tempests seek's e gilty land;  
 (Sythi az cav leet or peel *Britania past*,)  
 Kam and sirin hii dryivz 'hi fiuriys blast;  
 And, plii'z'd 'h' calmyitiz cardy'z tu pyrfarm,  
 Ryidz in 'hi huyrhuind, and dyirekts 'hi starm.

So 'hi piur limpid strim, huen fcaul uih steenz  
 cav ryfing tarents and disendey reenz,  
 Uyrks itself klair; and az it ryz, rifyinz;  
 'Til byi digritiz, 'he floty miry feyinz,  
 Reflekt's itthi fcaur 'hat an its beardyr groz,  
 And e niu hev'n in its feer byzyym floz.

*Diir Syr,*

Kenziytn, September 26, 1768.

yi hav transkryib'd iur alfabet, &c. huißi yi hink myit bii cav syrviz tu 'hoz hu  
 uih tu akuyir an akiure't pronynseshyn, if 'hat kud bii fiks'd; byt yi sii meni  
 inkanvinsensiz, az uel az dysikultiz, 'hat uud attend 'hi brigy' iur letyrs and  
 arhagraft istu kamyn ius. cal cav etimclodfiz uud bii lost, kansikuentli uii  
 kud nat asyrteen 'hi mininy cav meni wyds; 'hi distynkshyn tu, bituin wyds cav



*different mininy and similar scaund uud bii iustes, ynles uii living ryityrs pbyliff niu iidiſyns. In ſcart yi biliiv uii myst let piipſpel an in heer old uee, and (az uii fynd it iiziest) du hi seem courceſez.* With ease and with sincerity I can, in the old way, subscribe myself,

Dr. Franklin.

M. S.

ANSWER TO MISS S \* \* \* \*

*Diir Madam,*

*Dr. Franklin's and*

*hi cabdſheekſyn iu meek tu rektifyiing cūr alfabet, "hat it uil bii attended wiſh inkanviniensiz and diſfiktiz," iz e natural uyn; far it cacalueez cakyrz huen eni reſarmeeſyn iz propozed; hueſyn in riilidhyn, gyvernment, ar laiaz, and iwendcaun az lo az rods and huil karidſiz. hi tru kueſtſyn hen, is nat hueſyn heer uil bii no diſfiktiz ar inkanviniensiz, byt hueſyn hi diſfiktiz mee nat bii ſymcaunted; and hueſyn hi kanviniensiz uil nat, an hi hol, bii greetſyn han hi inkanviniensiz. In his kes, hi diſfiktiz ar onli in hi biginiing cav hi praktis: huen hee ar uyns ovyrkym, hi advantedſhez ar laſtiing.—Tu yiſyn iu ar mi, hu ſpel uel in hi prezent mod, yi imadſin hi diſfiktiz cav thendſiing hat mod far hi niu, iz nat so greet, byt hat uii myt pyrfektili get ovyr it in e wiiks ryitiing.—Az tu hoz hu du nat ſpel uel, iſ hi tu diſfiktiz ar kympeerd, viz. hat cav tiifſiing hem tru ſpeli in hi prezent mod, and hat cav tiifſiing hem hi niu alfabet and hi niu ſpeliing akcardiing tu it, yi an kanfident hat hi latſyn uud bii byi far hi liiſt. hee naturaliſcal intu hi niu mehyd calbredi, az myſh az hi imperfekſyn cav heer alfabet uil admit cav; heer prezent bad ſpeliing iz*

onli bad, bihcaaz kantrari tu hi present bad rulz: yndyr hi niu rulz it uud bii gud. hi difikylti caw lyrnig tu spel uel in hi old uee iz so greet, hat fii atteen it: hcauz andz and hcauz andz ryting can tu old eedfi, wihtut ever biig eebt tu akuyr it. "Tiz, bisydz, e difikylti kaintinuali inkrisig, az hi scaund gradual veeriz mor and mor fram hi speli; and tu fcarenys it meeks hi lyrnig tu princiuns caw laquedfi, az riten in caw buks, cacalmost impasibl.\*

Ncw az tu "hi inkamviniensiz" iu mensyn.—hi fyrst iz, hat "cacal caw etimcalodfi iz uud bii last, kansikuentli uii kud ncat asyrteen hi minig caw meni uyrdz."—etimcalodfi iz ar at present veri ynsyrteen; byt sytzi az hee ar, hi old buks uud stil prizyrv hem, and etimcalodfi iz uud heer fyind hem. Uyrdz in hi kors caw tyim, tfiendfi heer minigs, az uel az heer speliy and pronynsieefyn; and uii du ncat luk tu etimcalodfi far heer present minigs. If yi fud kacal e man e Neev and e Vilen, hii uud hardli bii satisfiid wi h myi teliy him, hat uyn caw fii uyrdz oridfi-nali signifyid onli e lad caw syrcant; and hi yhyr, an yndyr plcauman, caw hi inhabitant caw e viledfi. It iz fram present iusedfi onli, hi minig caw uyrds iz tu bii dityrmined.

Iur sekyn inkamviniens iz hat "hi distigkfyyn bituin uyrdz caw difirent minig and similar scaund uud bii distrayid."—hat distigkfyyn iz cacalredi distrayid in princiunsig hem; and uii rilyi can hi sens alon caw hi sentens tu asyrteen, huiifi caw

\* franklin used to lay some little stress on this circumstance, when he occasionally spoke on the subject. "a dictionary, formed on this model, would have been serviceable to him, he said, even as an american; because, from the want of public examples of pronunciation in his own country, it was often difficult to learn the proper sound of certain words, which occurred frequently in our english writings, and which of course every american very well understood as to their meaning."

hi several wurdz, similar in sound, wii intend. If his iz syfient in hi rapiditi av diskors, it uil bii mutfi mor so in riten sentences, huiß mee bi red lezßurli, and attended tu mor partikularli in kees av difkylti, ðan wii kan attend tu e past sentens, huiß e spiaky iz hyryyig ys alay wiß nuu wynz.

Iur hyrd inkcnviniens iz, ðat, "cicl hi buks ciclredi riten uud bii iusles.—his inkcnviniens uud onli kym an graduali, in e kors av edßes. Iu and yi, and yhyr ncuu livity ryßtyrs, uud hardli farget hi ius av hem. Piopl uud long lymn to riid hi old rytyg, ho hee praktist hi neu.—And hi inkcnviniens iz nat greetur, ðan huat has aktuali hapend in e similar kees, in Iteli. Farmerli its inhabitants cicl spok and röt Latin; az hi laquedßi ðhendßid, hi spelig falo'd it. It iz tru ðat at prezent, e miß ynlarn'd Italien kancat riid hi Latin buks; ho hee ar stil red and yndyrstud byi meni. Byt, if ði spelig had nevyr bin ðhendßed, hii uud ncuu hav fcaund it myßi mor difikylt tu riid and ryit hiz on laquedßi; fcar riten wyrdz uud hav had no rileßßygn tu scaunds, hee uud onli hav stud fcar hygs; so ðat if hii uud ekspres in rytyg hi yidiia hii haz, huen hii scaunds hi wyrd Vescovo, hii myst iuz hi letyrs Episcopos.—In fcart, huat ever hi difikylti z and inkcnviniens ncuu ar, hee uil bii mor iizili symmanted ncuu, ðan hiiraftry; and sym tyim car yhyr, it myst bii dyn; car car rytyg uil bikym hi seem wiß hi Tßygniz, az to hi difikylti av lymny and iuziy it. And it uud alredi hav bin syßi, if wii had kanciniud hi Sakßyn spelig and rytyg, uuzd byi car forfahyrs.

yi am, myi diir frend, iurz afekßynethi,

B. FRANKLIN.

Londyn, Kreen-strit, Sept. 28, 1768.

*the foregoing has been so often reprinted by ignorant persons, that it has cost me no small trouble here to reconcile it either with Franklin's own scheme, or with Walker's pronouncing dictionary; whence it is possible enough that some of my emendations may seem rather inconsistent to those who cannot see the subject as I do; be this as it may, an impartial public can now judge, whether the franklinian method, with all its imperfections visible to me—or mine, with those defects that will yet be perceptible to others, ought to bear the bell in the present unimicable competition to serve our fellow-creatures, in that very department, from which the boasted reason of man evidently proceeds. the venerable American's views of literary reform were limited to english, as a particular dialect only; while my project is generally extended to human speech, under all the variable or varying aspects it can well assume; embracing, at the same time, the probability and possibility of english yet becoming a cosmopolitan vehicle of thought, orally expressed, or literally conveyed, through one catholic character, worthy of being adopted, along with albin's mother tongue, as a commune bonum for the whole world.*

*Of the two plans, every candid reader may coolly judge and decide for his or herself, after carefully comparing the preceding with the subsequent exhibition of the same examples and letters in their different garbs; and should neither of these merit adoption, in the opinion of every fastidious critic, in god's name let other modes be produced: for sooner or later, as the good doct<sup>r</sup> predicts, something of this sort must be accomplished, during the pending career of superior intellect towards the unlimited amelioration of mankind.*

*Those who have been long accustomed to the hindee-roman plan, may, in the outset with the universal mode, feel a little disgusted at the idea of my imposing a new task upon them; but the difference between the two is on the whole so trifling; that the smallest attention will in one day reconcile every apparent difficulty, with this advantage, that the new system, while much shorter, involves no inconsistency, nor subjects the scholar to the least uncertainty ever afterwards with any one symbol or sound.*

*This is more than with truth can be affirmed of the hindee-roman, whose a, u, i, ee, oo, ue, uo, are very apt to mislead the reader with these vowels in numerous instances; and the literal combinations ch, sh, zh, kh, gh, ph, ng, for simple sounds, are equally so in regard to the consonants; a fact that can readily be proved, on comparing any portion of hindoostanee in the hindee-roman letters with the same sentence in the universal character, which becomes almost infallible, ever after its easy and complete acquisition by the reader, whatever his age may be, in senescence, adolescence, or infancy. every imperfection of the former scheme had been fully detected and remedied by the progressive experience of forty years, with a constant superintending resolution to render some occidental method or other ultimately as perfect as possible in its application, not only to eastern dialects, but to all the languages of the universe.*

*The only symbol now retained by me, as a monogram with a double articulation, in a single form, that can at first be troublesome, is c, with the power of tch, tsh, ch, alone; but this difficulty will disappear, when we perceive that j also represents dj, dsch, edge, though only one character.*

*examples of writing and printing in gilchrist's universal character, which, in a second attempt, will be assimilated with more with the most improved specimens of the script type, on rather a smaller and more elegant scale than the present, to obviate all those objections that may now exist against this first essay in a scheme of practical grammographic perfection.*

so hwen sum enjel, be devien komand,  
wet rezeij tempests seks e gelle land;  
(suc az ov let or pel bretanya past)  
ham and seren he drevz te fyoreyus blast,  
and, plez'd t' ulmetez ordurz to purform,  
wielz en te hwurbend, and dierchts te storm.

so te pyor lemped strem, hwen fiol wet stenz,  
ov rezeij torents and desendey renz,  
marks etself kler; and az et runz, refenz,  
te bue degrez, te floteij merur senz,  
reflekts ec fluer tat on ets bordur groz,  
and e nyshen'nen ets fer buzum soz.

der sur,

kenzeyntun, septembur 26, 1768.

*u hav transkribbd yer alfabet, &c. hwec u tegh met be ov survives to fox, he was to akwier an akkyoret pronunseeun, ef tat kod be fektd; but u se mone enkonve-*

neensez, az wel az defekulte; tat wod attend te breney yor letturz and ortografe ento  
 kommun yos. ul wor etemoljiez wod be lost, konsekwentle we kod not asurten te  
 meney ov menewurdz; te destegun to, betwen wurdz ov defarent meney and seme-  
 lar stand wod be yosles, unles we tevey riaturz publes nyo edesunz. en sort u belew  
 we must let pepl spel on er ter old we, and (az we fiend et ezeest) do te sem wselvz.

With ease and with sincerity I can, in the old way, subscribe myself,

Dear Sir, Your faithful and affectionate Servant,

Dr. Franklin.

M. S.

ANSWER TO MISS S \* \* \* \*

der maqlam,

te objekun yo mek to rektifuey wor alfabet, "tat et wel be attended wel enkonve-  
 neensez and defekulte," ez e nacyoral wun; for et ulwez okurz hwen ene reformesun  
 ez propozd, hwesur en reledjun, guvurnment, or luz, and even daon az lo az rodz  
 and hwel kattedjez. te tro hwesun ten, ez not hwesur ter wel be no defekulte; or  
 enkonvenensez; but hwesur te defekulte me not be surmanted; and hwesur te kon-  
 veneensez wel not, on te hol, be gretur tan te enkonveneensez. en tes kes, te defe-  
 kulte ar onle en te begeney ov te praktes: hwen te ar wuns overkum, te advantedjez  
 ar lasten. to esur yo or me, ho spel wel en te prezent mod, u emadjen te defekulte  
 ov cenjez tat mod for te nyo, ez not so gret but tat we muet purfektle get over et en  
 e weks rutij.—az to for ho do not spel wel, ef te to defekulte ar kumperd, vez. tat

ov tecey tem tro speley en te prezent mod, and tat ov tecey tem te nye uywea una te nye speley akhordey to et, we am konfident tat te latur wod be far te lest. te nacyonale ful ento te nye metod ulrede, az mac az te emperfeksun ov ter alfabet wel admet ov; ter\*prezent bad speley ez onle bad, bekuz kontrere to te prezent bad relz: undur te nye relz et wod be god. te defekalte ov lurney on to old ej, wetrot ewar beey ebl gret, tat fyjo atten et; twozandz and twozandz rietey on to old ej, wetrot ewar beey ebl to akwer et. 'tez, besudz, e defekalte kontenyuale enkresey, az te stend gradyuale verez mor and mor from te speley; and to forenurz et meks te lurney to pronens vor laywey, az reten en vor boks, ulmost impossible.

no az to "te enkonveneensez" yo men-run.—te furst ez, tat "ul vor etemoloyez wod be lost, konsekwente we kad not assurten te meney ov mene wurdz."—etemoloyez ar at prezent vere unsurten; but suc az te ar, te old boks wod stel prezuru tem, and etemoloyestz wod ter fiend tem. wurdz, en te kors ov tem, ceny ter meneyz, az wel az ter speley and pronunseesun; and we do not lok to etemoloye for ter prezent meneyz. ef we sod kul e man e nen and e velen, he wod hardly be satesfied wet me teley hem, tat wun ov te wurdz orejnale segnesfied onle e lad or survant; and te ufur, an undur phsman, or te enhabetant ov e velej. et ez from prezent yozey onle, te meney ov wurdz ez to be deturmened.

yor sekund enkonveneense ez tat "te desteyksun betwen wurdz ov deferent meney and semelar stend wod be destræd." tat desteyksun ez ulrede destræd en pronensy tem; and we relæ on te sens alon ov te sentens to assurten hwec ov te several wurdz, semelar en stend, we entend. ef tes ez sufesent en te rapedete ov deskors, et

wel be mac mor so en reten sentens, hwæt me be red lezyorle, and attended to mor partekyolarle en kes ov defekulte, tan we kan attend to e past sentens, hwæt e spekar ez hurey us alog wæt nyo wunz.

yor twrd enkonveneens ez, fat "ul te boks ulrede reten wöd be yosles."—tes enkonveneens wöd onle kum on gradysaale, en e kors ov egez. yo and æ, and ufur næ levey rætarz, wöd hærde forget te yos of tem. pepl wöd loy lurn to red te old ræty, to te praktest te nyo.—and te enkonveneens ez not gretur, tan hwæt haz ælthæale hapend en e semelar kes, en etele. formurle ets enhabetants ul spok and rot luten; az te laywæj ceynd, te speley follod. et ez tro fat at prezent, e mer unturnd etalyan kannot red te laten boks; to te ar stel red and undursted bæ mene. but, ef te speley had newur ben ceynd, he wöd næ hav fiend et mac mor defekult to red and ræt hez on laywæj; for reten wurdz wöd hav had no releasun to swondz, te wöd onle hav sted for-þeys; so fat ef he wöd eksprees en ræty te ædea he haz, hwen be swondz te wurd Vesovo, he must yoz te leturz Episcopos. en sort, hwatewur te defekultez and enkonveneensez næ ar, te wel be mor ezele surmented næ tan herastur; and sum tem or ufur, æt must be dun; or wæ ræty wel bekum te sem wæt te cenez, az to te defekulte ov lurney and yozey et. and et wöd ulrede hav ben suc, ef we had kontenyod te saksum speley and ræty, yozd bæ wæ forfaturz.

æ am, mæ der frend, yorz æfeksunetle,  
landun, kreven-stret, sept. 28, 1768.  
B. FRANKLIN.



## CAUSES OF THE PRESENT INSURRECTION IN JAVA.

*To the Editor of the Oriental Herald.*

SIR,—I am happy to find that communications from Java are making their way into your widely-circulating publication. It is to be regretted that they are not more numerous, especially at a time when the Natives of that island, so mild and tractable under the British administration, are now in open insurrection against their present rulers. Among the various extracts of letters which have appeared in the daily papers regarding this insurrection, none have as yet taken any notice of, nor hinted at, any probable cause for it; and as numerous conjectures will be formed by the public, and no doubt some of them very erroneous, I consider it as fulfilling one of the general objects of your publication, by forwarding you the accompanying letter on that subject, from a friend in Batavia, who, from his general acquaintance with the island, and the character of its Natives, as well as with the measures pursued by the Dutch Government, and being himself an impartial observer of what has been and is still going on, is well qualified to give his opinion on this subject; especially as his only motive for so doing is a desire to be beneficial, and to encourage others to follow his example. I trust therefore that you will be able to lay his letter before the public in an early Number of your 'Oriental Herald,' and oblige

Yours, &amp;c.

D.

Furnival's Inn, Holborn,  
12th April 1826.

## LETTER.

DEAR D—,

Batavia, 10th November 1825.

Although I have nothing at present to communicate to you regarding mercantile affairs, which are at this moment at a very low ebb here, yet, as under existing circumstances, I am sure you will be anxious to hear of us by every opportunity, I cannot let this one pass without giving you a few lines on some subject or other; and the most prevailing one here at present, being the disturbances in the Native provinces, you will not wonder if a person like me, who am well acquainted with and so attached to this island, should be at some pains to discuss a little in his own mind, and communicate with one whom he knows not to be a stranger to these spots, his ideas on the nature and probable causes of the present insurrection; and, if you, my friend, think, by laying before the public in some respectable periodical publication what I say on this subject, it might be the means of encouraging others, who may be better judges, and even more qualified to do justice to such a subject, to come forward and disclose what they know about the business, so as to throw some light upon affairs which many would wish to keep in darkness; you may do so, and if it succeeds I shall consider that I have rendered some little service to a good cause by my endeavours.

When we compare the liberal spirit with which the Dutch Commissioners set out in the year 1816, with the short-sighted measures of the present rulers,

the flourishing administration under a former liberal system, with the succeeding misfortunes under an illiberal one; the first proclamations they issued, worded in the most elegant flowers of oratory, in which they promised that the Dutch, the Natives, and even foreigners settling among them, should be allowed to "*gather roses in the fine Netherlands garden of Java*," with their proclamations issued and measures adopted in later years, where, by the by, no roses, but only thorns, were to be found; then we must certainly be inclined to ascribe the altered state of affairs to the altered principles of government.

When the Native provinces were administered by a Resident, who had the welfare of the colony at heart, and took delight in encouraging cultivation and commerce, we witnessed them rise to the zenith of prosperity. The little town of Djocjocarta increased in houses and buildings to nearly double its former size. As long as this system of liberality lasted, the Native provinces flourished, Government became enriched, confidence was firmly established between the European and Native population; and every individual exerted his utmost endeavours to benefit the colony, by bringing into cultivation immense tracts of territory which had hitherto lain waste and unproductive.

From a number of respectable gentlemen whom the proclamations of the Commissioners had induced to settle on the island, and who established themselves, with the knowledge of Government, as planters in the Native provinces, the Government received a moral and physical force which it had never before possessed. Every individual was a support to it, as was sufficiently proved by the gallant conduct of two of them, Messrs. Boulet and Stavers, who volunteered their services, and assisted Colonel Nahuys in subduing a late disturbance in the districts of Djocjocarta and the Kadore. In like manner also, when the cholera morbus was ravaging the country, carrying off many hundreds daily, and, among them the Dutch surgeon of the garrison of Djocjocarta, did Mr. Thomson, (also a planter,) formerly a surgeon in the Bengal army, come voluntarily forward to perform the dangerous medical duties of the hospital at that station, and by his generous conduct saved the lives of many of their European soldiers.

At this juncture, when this individual was defying the dangers of the cholera morbus, several of the Government servants, members of the court of justice at Samarang, and other civilians, deserted their stations, and fled into the interior to escape the danger. What will you think now when I tell you, that those very servants of Government, becoming jealous of the prosperous and independent state of these individuals, and of the planters in general, were the very persons who induced the Government to take from them, by an *ex post facto* law, the lands they had brought from barrenness into cultivation, and to deprive the Javanese of a right of disposal over those lands which they had possessed from time immemorial!

The consequences of such a subversion of property have now been evidently manifested, in different degrees, and have come at last to what has appeared to myself and some others for some time to have been approaching, *viz.* insurrection and its effects.

It is to be expected that the authorities here will do their utmost to make the people in Europe believe that these disturbances have originated in other causes; but the good King of the Netherlands, and his Ministers, will do well to take some notice of the public opinion regarding Java, and examine into the many facts that prove the bad policy of the Batavian Government. Is it not publicly known, that both the Native courts of Java were very much displeased with the measures of Government? Was there ever a Resident more esteemed and beloved, both by the Europeans and Natives,

than Colonel Nahuys, the warm advocate of a liberal system? His triumphal reception at these courts, when he paid them a farewell visit before leaving this island, says more in favour of his administration, and of the good nature and gratitude of the people, than the most eloquent language can do. And what will the Government at home say, when they know that Colonel Nahuys foretold and warned the Resident of Djocjocarta of these disturbances, in a letter which many individuals here have seen?

There would be no end to this letter were I to enumerate to you all the faults and blunders of the Java Government, but this I leave to better informed men, who, as I said in a former part of this letter, I hope will be encouraged by my endeavours to come forward with their information.

Samarang, and I may say the whole island, has been in the most imminent danger, for had the rebels followed up their advantage, and penetrated into the town of Samarang, and then the fatal news of that calamity and their success been spread all over the island, many more Javanese chiefs, now only held back by fear, would have joined the standard of rebellion against the Europeans, and there would have been no remedy for the evil. Twenty individuals volunteered their services with the Dutch troops: twelve of these fell; and, of the twelve, seven were Englishmen.

General De Kock is now in sufficient force, and if any good is to be done, it will be by his firmness and superior judgment. His justice, moderation, and liberal principles, are well known to us all, and our last hopes are in him.

Yours, &c.

X—L.

P.S.—You shall hear from me by every good opportunity.

#### SONNET

*To the Nymph sculptured by Mr. Westmacott for the Gallery of  
Sir John Leicester.*

BEHOLDING all thy beauty, Nymph divine!  
I seemed to breathe upon the Attic strand,  
Where fair, like thee, beneath a Phidias' hand,  
Sprang up the elder sisters of thy line:  
So did their clustering ringlets intertwine  
To shade their pensive brows of living snow,  
Seeming at Zephyr's breath to come and go,  
Like those intorted snaky locks of thine!  
In vain, sweet Nymph, Art's peopled halls I viewed,  
Where dwell the children of the sculptor's brain,  
In search of beauty, ever fondly wooed,  
Which, almost found and won, escapes again;  
Till by thy snowy feet at length I stood  
Like some old Pagan rapt in Venus' fane.

Bior.

STRUTT'S SYLVA BRITANNICA.<sup>1</sup>

THE design of this work is, we believe, original and unique; at all events the execution is exceedingly beautiful. The author, who appears to have delighted in his task, has chosen his subjects with judgment, and represented them with great spirit and fidelity to nature. Many of the venerable old trees depicted in Mr. Strutt's etchings, are among the most curious in the world, both for antiquity and size, and connected incidentally with various celebrated events in English history. For example, we learn that the Shelton oak, near Shrewsbury, was the tree from which Owen Glendower reconnoitered the King's forces assembled against that famous chieftain and Harry Percy, then in open insurrection. That from another oak, in the park once belonging to Lord Hunsdon at Huntingfield, in Suffolk, Queen Elizabeth is reported to have shot a fine buck *with her own hand*. Of another tree of the same species, it is related, that it was planted, in commemoration of the event, on the very day on which Sir Philip Sidney was born. The hero and the poet has passed away; but the acorn deposited in the ground at his birth is still green and flourishing, and bids fair to continue developing its vegetative energies for many centuries to come. Beneath the great elm at Chipstead, in Kent, tradition relates that an annual fair was held as far back as the time of Henry V. And the yew at Ankerwyke, near Runnymede, witnessed the signing of Magna Charta; and was afterwards famous for sheltering beneath its funereal branches the adulterous loves of Henry VIII. and Ann Boleyn. The Totworth chesnut tree, which, in 1766, measured fifty feet in circumference at five feet from the ground, was in its prime in the reign of Stephen, and must have been planted in the time of Egbert, or about the year 800. The cedar tree, also, of Enfield, is an object of curiosity; it was brought, a plant, from Mount Lebanon, about the middle of the seventeenth century, and planted by Doctor Uvedale. It was measured in 1821, and found to be sixty-four feet in height, seventeen feet in circumference, and to contain 548 cubic feet of timber.

The largest tree in England seems to be the oak on the estate of Lady Sturton in Yorkshire, which, in 1776, was nearly 85 feet in height, forty-eight feet in circumference at a yard from the surface, and not less than seventy-eight feet in circumference, when measured close to the ground. But this is nothing compared with the circumference of the great chesnut tree on Mount Etna, in Sicily, which measures within the hollow of the trunk about two hundred and four feet. The Salcey-Forest oak, supposed to be upwards of fifteen hundred years old, measures forty-six feet ten inches in cir-

<sup>1</sup> Sylva Britannica; or, Portraits of Forest Trees, distinguished for their Antiquity, Magnitude, or Beauty. By J. G. Strutt. Folio, London, 1826.

circumference; but it is now little more than a hollow trunk, mouldering fast to dust.

Few trees in the world spread more widely than the lime or linden. Evelyn mentions an enormous one at Neustadt, in the duchy of Wirtemberg, the ambitus of whose boughs was nearly four hundred and three feet; one hundred and forty-five in diameter from south to north, and one hundred and nineteen from east to west; while the circumference of the trunk was no more than twenty-seven feet four fingers. Even this, however, is trifling compared to the vast extent to which the Banyan, or *Ficus Indica*, spreads its branches. One of these trees, near Mañjee, west of Patna, gave a shadow at noon of eleven hundred and sixteen feet in circumference, and three hundred and sixty-three, or seventy-three, feet in diameter: the circumference of its stems, about fifty or sixty in number, was nine hundred and twenty-one feet. Milton reckoned the Banyan among the ornaments of Paradise, and fancied that Adam and Eve made their first girdles from its leaves:

Soon they chose

The fig-tree, not the kind for fruit renowned,  
But such as at this day to Indians known,  
In Malabar or Deccan spreads her arms,  
Branching so broad and long, that in the ground  
The bending twigs take root, and daughters grow,  
About the mother tree, a pillar'd shade,  
High over-arched, and echoing walks between:  
There oft the Indian herdsman, shunning heat,  
Shelters in cool, and tends his pasturing herds  
At loop-holes cut through thickest shade.

It would be well worth the while of some of our countrymen in the sultry East, where large trees, from their grateful shade, have acquired a sort of religious veneration, to adopt Mr. Strutt's idea, and give the world 'Portraits' of the singularly magnificent trees of that country. We remember to have seen in Tavernier a coarse print of the Banyan at Bander Abassi, on the Persian Gulf; and in spite of the unskilfulness of the drawing, obtained from thence a better notion of the tree, than from Milton's description, beautiful and graphic as it is. We have never seen more beautiful delineations of trees than Mr. Strutt's, and, therefore, we think his work might serve as a model for any one who should desire to bring home from the East its Banyans and lofty cypresses. How beautiful would the Columna Crypress of Norfolk Island, two hundred and twenty feet in height, with eighty feet of trunk clear of boughs, appear in such etchings as Mr. Strutt's!

But one peculiar charm of the etchings before us, arises from the associations they call up in the mind. Almost all the ancient mansions and villages in England, where noble or wealthy families reside, have trees in their neighbourhood remarkable for their size or appearance, or antiquity, and hallowed in the imagination of the villagers by some superstitious legend or tradition. It was beneath the shelter of one of these distinguished trees that Falstaff and the

'Merry Wives' of Windsor made their last assignation; and, on the first mention of it, Shakspeare thus puts the local tradition into the mouth of Mistress Page:—

*Mrs. Page.* There is an old tale goes, that Herne the hunter,  
Sometime a keeper in our Windsor forest,  
Doth all the winter-time, at still of midnight,  
Walk round about an oak, with ragged horns,  
And there he blasts the trees, and takes the cattle,  
And makes milch-kine yield blood, and shakes a chain  
In a most hideous and dreadful manner.  
You've heard of such a spirit, and well know  
*The superstitious idle-headed Eld*  
Received, and did deliver to our age,  
This tale of Herne the hunter for a truth.

*Page.* Why, yet there want not many that do fear  
In deep of night to walk by this Herne's oak.

To as many of our readers, both in India and in England, as love the features of our most splendid scenery, we can safely undertake to recommend the 'Sylva Britannica,' as a work which cannot fail to yield them very exquisite and lasting gratification.

#### MEDICAL SERVICE AT MADRAS.

*To the Editor of the Oriental Herald.*

SIR,—Although I doubt whether the insertion of a letter from Secunderabad, on the subject of the medical profession in India, is more likely to be useful than the memorial to which it alludes, yet it is but justice to the profession to make known the state of things, so openly, that ignorance of it cannot be pleaded.

By the regulation lately issued, as to the Civil Fund at Bengal, it is, I think, tacitly admitted, that the Court think it reasonable that their servants should retire, or, at least, be allowed to do so, after twenty-two years' service; that is, those who have entered it as early as the age of sixteen: the civil service very properly enables, in its common course, its servants to accumulate a respectable property; and such a per-centage can be spared as to afford retiring annuities of one thousand pounds each, so that, at the age of forty, a civil servant may retire on a comfortable independence; and if not the immediate possession, yet the prospect (in rotation) of a life-annuity of 1000*l.*

The clerical profession have deservedly been considered, both in the immediate allowance granted on entering the service, of 180 pagodas per mensem, and in the privilege of retiring at the expiration of fifteen years' actual service; i. e. eighteen years, including the furlough on the pay of a major.

The military officer rises from small allowances, but is fully com-

pensated in the ultimate result by the advantages of the *off-reckonings*, and the pay of the rank at which he retires, after twenty-five years, including three years' furlough; and being entitled to retire *the day after he has received any rank*, if he have served his time of twenty-two years' actual residence. It is to be kept in recollection, that this officer also enters the service *at the age of sixteen*, giving him a fair chance of retirement at a period of life at which there may be some recompense for a long absence from home and relatives.

The medical officer requires, certainly, not a less respectable general education than any of the other branches. He is employed expensively in the pursuit of a proper knowledge of his profession, without any income, during, at least, six years that the civil and military officer are in receipt, the one of what leads to independence, the other of actual maintenance, while he is establishing claims to retirement.

The education and expenses of the well-qualified medical officer are not inferior to that of the chaplain.

On what, then, is founded the difference of remuneration for services?—certainly not in the smaller share of mental anxiety, personal exertion, or general utility of the medical officer. In peace or war, his duties are constant, and highly responsible. It is not to be believed that, in viewing a general question, we shall be told that there are a few, and very few, rather lucrative situations, or that *four or five* of the profession out of *two hundred* obtain, by very severe duties, some addition to their income at the Presidency by private practice. The routine of eight out of ten of the profession is as follows: To serve as assistant-surgeon for *fourteen* years, having *fifty-seven* pagodas monthly, and five pagodas allowance for every hundred men under his care, for the purchase of country medicine. Having served fourteen years, *if promoted*, he becomes entitled to captain's pay, which is ninety-seven pagodas per mensem; if he has health to serve the remaining three years, making *seventeen*, he *may* take his furlough, and retire on *185*l.** yearly. What chance there is that, on *fifty-seven* pagodas monthly for fourteen years, and ninety-seven for three years, he should be able to retire, may be left to any person to consider; but if, as is almost uniformly the case, he has very little, or, if married, has nothing, and it be necessary to remain, he *may* fall into the charge of one of the few garrisons; but he will not attain the next *nominal* grade, until he has served *twenty-five* years! and he is then to serve *two years* to entitle him to retire; while the major may retire the day after he attains the rank, and the chaplain at the expiration of fifteen years, on the *very same amount*. To carry the consideration farther: every senior member of the Medical Board, from the venerable and lamented Doctor Anderson, to the one now at the head of the Madras department, instead of being entitled to the retiring pension of *500*l.** yearly, had they entered the military service, would have saved their early expenses, and have been entitled to the *off-reckonings and the retiring pay, as well as rank of general officers*. It is clear to me that so just a cause is

neglected, solely from the want of that immediate intercourse with the Directors that should ensure it being fairly considered. It is only to say: "*Are well-educated men, who are in every way more exposed to the effects of climate and disease, to receive a less compensation for their valuable services, than any other of the Company's servants?*" If the subject remain unredressed, the service will be supplied, no doubt, but not with such men as ought to be intrusted, where much, very much indeed, must be left to individual merit and ability; where there is not the advantage of frequent consultation and where there are not, as in England, the means of acquiring much additional knowledge. Let, then, the advantages be such as to induce well-grounded men to go to India, with the hope of returning, in a reasonable time, with reasonable independence. I think the higher authorities in India would join me in saying, that at no period could the Court more justly show its appreciation of the conduct of the profession than the present, because at no period have medical men suffered such unceasing mental anxiety, and unceasing personal exertion, as during the prevalence of the epidemic scourge, which has devastated many parts of the Company's territories. "*Quosque misemina ipse vide.*"

MEDICUS.

P.S. The junior Member of the Madras Medical Board has been thirty-three years in the service, and must serve another year to entitle him to his pension of 500*l.* per annum.

## SONNET.

ON the bright mountain-top to sit and hold  
 Communion with the deities of air,  
 And paint each scene, majestic, wild or fair,  
 That through the eye doth o'er the soul unfold,—  
 Heaven's azure robe emblazoned o'er with gold,  
 Gleaming o'er all—like hope o'er mortal care,  
 And brooding sorrow that begets despair;  
 To woo high thought like him, the sage of old,  
 The wise Ionian, and to make the heart  
 The abode of those divinities that have  
 Their dwelling in the spirit—o'er the grave  
 Breathing their oracles; this is the part,  
 The better part for him who cannot bear  
 Earth's heartless pride and gaudyinsel glare.

L. F.



**STATE OF THE BENGAL ARMY, AND PREPARATIONS FOR THE  
SIEGE OF BHURIPORE.**

WE have received a valuable communication from an intelligent and accurate individual, of which it was originally our intention to give the substance among the other heads of general news received from India; but subsequent consideration induces us to place it in this separate article, and to give it in the writer's own language, which could not be altered without injury to the clearness of the narrative and force of the reasoning. He says:

We had but lately a glimpse of a peace on our Eastern frontier; but the effects of the good policy of this Government, in forbidding Sir David Ochterlony to inflict immediate chastisement on the Bhurtporeans, are now sufficiently apparent, in the caution with which the Burmese hold off until they know what is the result of our operations to the north-west. This, at first sight, may appear strange, considering the distance of the two points alluded to, and the improbability of a direct communication; but it seems the Burmese religionists are in the habit of performing stated pilgrimages to certain holy places in Bengal, and their pilgrimages, it is supposed, have not been less frequent since the aspect of affairs in Upper Hindoostan showed a prospect of war. There are various Brahminical colleges, situated, some on the great rivers, others in the more direct routes to the upper provinces; and by means of them, it has, I am told, been discovered, that messengers pass with a rapidity that seems quite incredible, when we do not stop to consider that a direct intercourse for some specific purpose may be effected much easier between two distant points, than when the line of communication is obliged, as with our *ports*, to accommodate itself to the winding course of the principal stations situated in the thickly inhabited parts of the country. We are occasionally very much surprised at the quiet transmission of particular facts, such as the death of some well-known individual, &c.; but I do not know that the cause has ever been inquired into. Be that as it may, however, it seems certain that a communication of the kind referred to is now known to have been for some time on foot; and rumours are in circulation, that more than one correspondence has been intercepted.

What the Burmese intend to do, further than delay, as much as they can, Sir A. Campbell's advance, it is not easy to guess; as, however, they must, ere this, be pretty well aware of their inability to cope with us in the field, it is to be expected, from their general shrewdness, that they will adopt the only effectual plan of operations which Asiatics can ever carry on against us with success. Could the natives of this country but be sensible of this truth, where would be our empire? And how unconscious were Raymond and Perron that, in persuading the country Powers to forsake their own mode of warfare, to adopt ours, they were rendering us the greatest possible service!

The hope of being able to penetrate through the mountains from Arracan, is, we are told, given up; and the province itself is virtually abandoned, our troops being mostly removed to Ramree and Chedubah, if not withdrawn altogether. The sickness has been the most appalling thing ever witnessed; out of near twelve thousand men, Europeans and Natives, the effective strength of the army was at one time reduced below fifteen hundred. What will the inquirers into the Walcheren expedition say to this? Or does it require something nearer London to bring such sufferings home to the business and bosoms of our countrymen?

At Agra, a fine army is collected: it will amount to nearly thirty thousand men, with a hundred and fifty pieces of artillery. This sounds high; but we have seen larger armies advance with just the same confidence of success, and just the same contempt for their enemy. I hope the parallel may not be pursued further. There are some circumstances, however, not altogether to be overlooked in this army: it must not be forgotten that the sepoys are not what they used to be; I do not merely allude to their appearance and physical strength, but more deeply to the terms on which they now stand with their officers. A great deal of very injudicious discussion has lately taken place concerning the value of the sepoy as a soldier, when compared to the European; and the advocates of either side of the question have pushed matters to that extreme, that if the one be right, the sepoys will not long endure our control; and if the other be correct, they are totally unworthy of the trouble and expense which they occasion. For my own part, I have a very contemptible idea of the stuff that soldiers are made of; nor can I forget that the best armies in the world have been composed of men whose chief recommendation was the most servile obedience to the will of their superiors; that the Roman soldier was treated like a dog; and the battles of the great Frederick won by men whose courage was kept up to the sticking-place by the kicks and canes of drummers and drill-serjeants. Good troops may, therefore, be made out of any materials wearing the human form. Let our sepoys be as bad as may be, they will be as good food for powder, or fill a pit, as well as their betters. It is the duty of the general to discriminate between the qualifications inherent in the different descriptions of troops at his disposal; and amid the various duties which are to be performed in an army, there must always be appropriate employment for all arms, however distinct and separate in their general appearance, or even character. It is for the chief to amalgamate the whole apparently confused unequal mass; to see that no part lacks consideration; that the subministering hand of discipline pervades the whole; and that a due degree of emulation be everywhere excited. But I am wandering from my subject.

I was going to tell you why the sepoys of these degenerate days were not what Lord Lake left them: their wants are systematically neglected, or if attended to, it is only, as it were, by fear or by

<sup>1</sup> Partim virgis cæsis, qui ad nomen non respondissent partim in vincula ductis, &c.

caprice; their discipline is coldly enforced, and not by men who are content to journey on with them hand to hand in the road to fame; but by task-masters, who affect to pity whilst they chide, and who do not conceal their intention to change this occupation for a better as soon as any excuse for absence can be found. "But how is this?" say you. "The officers, at least, are of the same stuff as formerly, if the men are not." No; this is not the case. I affirm it boldly, that throughout the sepoy service not one officer in ten will be found to take a pride in the performance of his military duties, to cultivate a good understanding with the men under his command, and, in a word, to be attached to the particular company or regiment in which he is placed. "But why is this?" you ask. "What has operated the change?" Alas! it would take more time, and infinitely greater talent than I can command, to answer the question. But look at the manner in which the officers of this army have been harassed for these ten years past; look at the way in which their originally inadequate numbers have been encroached upon, by the increased sickness and casualties incidental to the enlarged range of country now occupied by our troops, as well as by the necessity for creating staff situations in proportion to the extended duties of the several departments. The number of officers actually present with their corps is so small, that, when compared with the rest, they form but an inconsiderable minority; and the military are then divided into two classes, of which the least favoured, and on every account the most discontented, has to perform the whole duties appertaining to the training and interior discipline of every regiment in the service. Nor is this all: the wants of the mere regimental officer are so totally disregarded; so little respect or consideration is shown for them as a body; and, as individuals, they are treated with such excessive haughtiness and contempt, whenever they come in contact with their more fortunate brethren, that all community of feeling is destroyed. The regimental officer is looked upon as a sort of inferior being; and such is their ill treatment, that it seems to have been the study of the authorities at home to confirm a persuasion already but too likely to obtrude itself upon the mind of every individual so situated; for every order lately received from home has had for its apparent object to abridge his comforts in some way or other, even to an extent which Government here *dare* not carry into effect.

All these circumstances taken together have rendered the officers utterly indifferent to their men and to the service in general. The sepoys know this, and already return the feeling with interest; they still indeed retain a partiality for some few individuals of long standing, but as the latter are fast disappearing from the scene, the time is near at hand when our Native soldiery will have no other hold upon the service than what their pay and prospect of idleness afford. The instant they have any thing serious to do, disaffection and desertion will make their appearance. The late mutiny of the 46th in Assam is an illustration of this. Colonel Richards was one of the few officers for whom the sepoys had any sort of regard, and as long as he remained with the corps they bore their fatigue and privations at

least in silence. But the same order which announced the season for active operations, told them that Colonel Richards was about to leave the regiment. What was the consequence? they refused to move. The Colonel did what he could: he selected the ringleaders; had them tried; and prepared to execute the sentence of death awarded to them; but the whole corps stepped forward—"If you shoot these men, shoot us all," was the cry; "we are all equally culpable." What was to be done? The Colonel could not in his heart blame the men for resenting the hard treatment which he himself, in common with them, had experienced, and which was the main cause of his quitting the service. The men were therefore respited; and orders have, we are told, been sent for commuting their punishment to transportation for life, and for disbanding the particular company to which they belonged. Now all this is very dreadful. Military men condemn the whole proceeding, and blood, nothing but blood, will satisfy them. But it may be asked, why had not that regiment been relieved?—why, if it was determined to keep them in that unhealthy climate, why was the Colonel allowed to go away without his place being supplied, and the command prevented from devolving upon a young Captain? Again, was the corps, or was it not, reported by the Colonel as unfit for active service? *Could* the men obey the orders issued to them? If they could, severe as the measure might have been, the order and the sentence should have been enforced. If they could not, the whole blame should attach to the person who caused those orders to be issued.

Such then are the men whom Lord Combermere is about to lead to the walls of Bhurtpore, and such is the system upon which they are officered. Now, out of the eighteen regiments of infantry under his Lordship's command, two only are European, and one of these but 500 strong. Now, undoubtedly, as Europeans have *some* good qualities in fighting, it may be asked, whether, if the first assault should be repulsed, the same Europeans are likely to succeed a second time? or, if not, whether the sepoys alone are to be depended upon? Bhurtpore is a strong place; it has some very great advantages. You will see a flippant account of the last siege in our 'Bengal Military Register.' In that account, the attacking party is blamed first for being too precipitate, and, in the next page, for the slowness of their proceedings. It seems to be admitted, that a spot for a battery was judiciously selected, but owing to an unfortunate mistake the battery was erected in a much less advantageous situation. The confidence which Lord Lake had in the gallantry of his troops, (and who shall say it was not fully warranted?) unfortunately would not allow him to wait till the mistake was rectified, and hence all the disasters that occurred; for once beaten off, the chances of success with so small an army, and such an inadequate park of artillery, decreased daily. Sufficient justice, however, has not been rendered either to the strength of the place or to the energy of the defence. The place is so large that it cannot be invested; it presents so few points of attack, that an enfilade fire upon any part of the rampart is almost hopeless, and, if established, the height of the works is such as to render such fire very uncertain

in its effect. This height too will add greatly to the labour of the besieging army in constructing their approaches, for it gives the garrison a plunging fire upon them. Add to this, the ditch is large, and capable of being largely increased at any point, and the materials of which the walls are composed make the breach so heavy to mount, that the storming party will need every assistance that can be afforded to them. These you will admit are great advantages; still, however, the experience we have had does not warrant our entertaining any very serious apprehension that the enemy will avail themselves of them. It requires great constancy of mind to persevere in a stout defence; and our fire will be more formidable than any thing of the kind the Natives have ever experienced. But, on the other hand, it must not be forgotten, that, in 1805, we gave them a great military lesson. The advantage of a good ditch, and the impossibility of its being passed, if the opposite rampart be not enfiladed, or rendered untenable by the besiegers, become so apparent, that if a single soldier of that day be left alive, it is hardly possible but that that lesson will again be practised. If the plans which are handed about here are to be depended upon, the place may be attacked at three points; and by each of these, if properly conducted, it will require ten days of open trenches to storm the town, and it will take thirty pieces of heavy artillery. I have heard thirty is just the number to be employed. We have besides nearly a hundred mortars and howitzers, but on these military men do not place much reliance in the attack of the town, on account of its immense size, and the impossibility of bombarding it with effect. Besides which, as the place cannot be invested, the population, if much annoyed, may encamp outside of the walls altogether, and leave the garrison only exposed to our fire. But, after all, their speculation may be entirely out of place; by surprise, or by the effect of panic, the place may possibly fall as soon as we march against it, and thus add to the measure of that presumption which sooner or later will be our ruin.

## SONNET.

WHEN I behold the outward forms of things,  
 This lovely world and all that it contains,  
 I cannot think that ought but goodness reigns,  
 Howe'er men err in wild imaginings;  
 For from our sorrow higher pleasure springs,  
 And richer joy from transitory pains—  
 The harp gives out its most celestial strains  
 When the clear air restores its loosened strings;  
 And, more than all, methinks we should o'ercome  
 The passing woes that hourly come and go,  
 Like visions of the night—that we may grow  
 Stronger to bear the glories of that home  
 Which he who scorns can never hope to share;  
 Here and hereafter, slave to his despair.

L. F.

## GRIEVANCES OF THE MADRAS ARMY.

*To the Editor of the Oriental Herald.*

SIR,—As I know of no channel by which the grievances of the Madras army can be so readily brought before the public eye as through your most valuable 'Herald,' I shall esteem it a favour if you will inserting the following remarks upon them.

I shall first speak of the most unjust and vexatious proceedings of the "Auditor-General's office," the guide for which is a 'Pay Code of Regulations,' swelled to the size of an enormous quarto; the contents of which have been so often annulled in one part, and added to in another, as to render it necessary for a man to study it daily, if he means to have the shadow of a chance of escaping retrenchment, which is performed in the following *most just and equitable* manner: viz., the Government, or rather its agent, the Auditor-General, can call upon an officer at any time within *three years*, (and even this regulated period is not attended to in some instances, as I have known a visitation come from thence after a lapse of six or seven years,) to refund money drawn. But should an Indian once have a claim upon Government, as being appointed temporary brigade-major, or an appointment of that kind, and from sickness, or any other impediment, it is not forwarded for sanction within *six months*, it is not admitted, forsooth! This is equity, indeed! But the great harvest for the Auditor-General is after campaigns, such as those of 1817, 1818, and 1819, when you probably, in the attendant hurry and confusion, forget to obtain some of the ten or twenty signatures generally required, or, perhaps, lose your documents and baggage into the bargain, as is likely will be often the case during the present disgraceful and wanton business in Burmah. I believe, after the Mahratta war above mentioned, scarcely an officer escaped retrenchments, which were mostly forwarded *two or three* years after the money had been drawn and paid. How the estates of my comrades who died in the field, fared in these pluckings, I do not know; but many must have been deeply retrenched, I know, on the same grounds as myself: however, there has been a partial revision since Sir Thomas Munro came out. The "Pay Code" is ~~so~~ voluminous and full of contradictions that paymasters of divisions are by no means well acquainted with it, and pay sums which to them appear perfectly just. No doubt the fortunate individuals who may survive the effects of disease and starvation in this preposterous war about a "sand-bank," will be indulged with many an unwelcome communication from that office, when sufficient time shall have elapsed for them to have thrown by or lost their old abstracts, as supposing they have no further occasion for them. I do not mean, of course, that such an office of audit is unnecessary; but the duties of the one at this Presidency are carried on in the *most cavilling, vexatious, and litigious* manner, and not unfrequently the "ob-

jectionable charge" is perfect nonsense, from the half-caste or Native writer not understanding the language he is writing.

I shall now briefly notice the impediments ~~thrown~~ by the Madras Government in the way of their officers saving any of their pay and allowances, which might lead to the retirement now and then of an individual, and enable him, with his pension, to spend the declining years of his life in England; an occurrence much dreaded by this most economical Government. The troops are paid in hard coin; and we all know a military man will spend rupees as long as any are lying idle in his trunk; yet no bill for a larger amount than *one-fourth* of his pay, &c., is allowed; no family certificates are permitted to be granted but in the field forces; and they have been limited by the present Governor, a most exact "muster" of a Madras Governor, — a thorough-bred save-all from "his youth upwards." No military bank is allowed, as in Bengal, since there would be a temptation indeed to economize, the officer having no further trouble than to state on the back of his abstract the sum he wishes to be paid over to the bank. This is one of the many advantages they possess. A gentleman *late*ly appointed Accountant-General at Madras, has, in his great wisdom, rendered the bills that are granted nearly useless, by permitting them to be payable only to some particular person *at Madras*, so that to send a remittance from one station to another is become almost impracticable. The evil more or less sustained; monthly by the whole Hyderabad force being paid at the rate of 111 Hyderabad rupees to 100 Madras, (the real value being 121, or about that of the former to 100 of the latter,) was mentioned to you in a letter some months ago, by a friend of mine. The representation sent in on the subject has, as was expected, produced no result; not even a reply to it has ever been received, it being considered as the discontented production of an individual, no doubt.

Having trespassed on your attention thus far, let me conclude, Sir, with my hearty wishes, that the information contained in the pages of your 'Herald' may be instrumental in working a reform so much needed in the crazy political machine of Leadenhall-street.

A MADRAS OFFICER.

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#### TRIAL BY JURY IN INDIA.

THE introduction of the Bill to enable Natives and Anglo-Indians to sit as jurors on trials in India, has deservedly excited the attention of public men in this country, and will, we trust, lead to further improvements in the administration of justice in the East. From several communications of Correspondents on that subject, we select the following, as calculated to set in a clearer light than heretofore the measures by which the introduction of Native jurors was accompanied in Ceylon:

Sir Alexander Johnston was fully aware, when he first introduced

trial by jury into Ceylon, that the degree of confidence which the people of the country might be expected to repose in that institution would be proportionate to the conviction which they entertained, that they themselves would always be consulted as to the character and qualifications of those persons whose names were to be enrolled in the list of men qualified to act as jurors; and that neither the local Government nor the Supreme Court would ever attempt to exert any undue influence, either in the original formation of that list, or in the subsequent selection from it of such jurors, as might from time to time be required to serve at any criminal session which might be held by the Supreme Court in any part of the island.

The great object, therefore, which Sir Alexander Johnston had in view, in all the regulations which he made upon this subject, was not only to render it extremely difficult, but to convince the people of the country themselves that it was extremely difficult, if not impossible, either for the local Government or the Court to exert any undue influence as to the jurors, without their attempt to do so becoming directly a matter of public notoriety and public animadversion. It appeared to this Judge that the surest method of attaining this object was, to limit, as far as he could, by public regulations, the power of the Court and that of its officers; and to place them, in every point which was in any way connected with the jury, under the constant inspection and control of the people of the country. He accordingly, after much consultation with some of the most enlightened Natives on the island, published a regulation, declaring that every man, whatever might be his caste or religious persuasion, had a positive right to act as a jurymen, provided he was a man of unexceptionable character, a freeman, a permanent resident on the island, and had attained the age of 21, and also declaring that the people of the country themselves should be the judges, whether a man had or had not those qualifications which by this regulation gave him that positive right.

Sir A. Johnston, at the same time, published another regulation, directing the fiscal or sheriffs of each province on the island, publicly to make and return to the Supreme Court a correct list of all persons in his province, who were qualified, as required by the former regulation, to act as jurymen.

To prevent the possibility of abuse on the part of the fiscal, the following mode of proceeding was observed by the Court: As soon as he had made out and returned to the Court a list of all persons in his province who were duly qualified to serve as jurymen, this list was, by order of the Court, published and circulated through every part of the province, for the specific purpose of enabling every inhabitant to make such remarks on it as might occur to him, and to prefer, when necessary, an immediate and public complaint to the Court against the fiscal, if it should appear that he either had omitted out of the list the name of any person whose name he ought to have inserted



in it, or had inserted in the list the name of any person whose name he ought to have omitted. After the list had undergone this public scrutiny, it was publicly ordered by the Court to be considered by the fiscal as the list of all persons who were duly qualified to act as jurors, and that out of which he was bound to return by rotation all persons who were required to serve as jurors at the criminal sessions held by the Supreme Court in his province.

Independent of these precautions against any abuse on the part of the fiscal, every person in a province in which the Court was about to hold a criminal session, had public notice given him long before it was held, that the list in question was always liable to be publicly revised by the Court at the commencement of the session upon any complaint which might be publicly made to the Court by an inhabitant of the province, either against the fiscal for any impropriety of conduct in making out the list, or against any individual on the list for any impropriety of conduct in getting his name inserted in that list.

Although, therefore, the Supreme Court, and its officers, the fiscals, are allowed, for convenience sake, to be the instruments through which the list of persons on the island qualified to act as jurymen, is obtained, it is hardly possible, considering the manner in which all their proceedings in this point are watched and controlled by the people of the country, that either the Court itself or its officers can exert any undue influence in the selection of jurors, without such conduct being immediately known, and becoming a subject of public and general animadversion.

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SONNET.

'Tis a sweet evening, and yon clouds of gold  
 Wreath their bright glories round the deep blue sky,  
 As love rolls flashing in the azure eye,  
 When other days before the mind unfold ;  
 What pictures there of beauty are unrolled !  
 Angels must paint them in the courts on high,  
 Amid the bowers of love that cannot die ;  
 Amid those raptures unto man untold !  
 Linger, I gaze, with aspirations vain,  
 And long to pass yon dim mysterious veil  
 That clouds high thought in this contracted pale,  
 And turns bright hope to all despairing pain ;  
 Alas ! it is the madness of despair  
 To adore the colouring of unreal air.

L. F.

## NATIVE ADDRESS TO THE GOVERNOR OF BOMBAY.

WE have great pleasure in giving insertion to the subjoined Correspondence; and have no doubt whatever, notwithstanding Mr. Elphinstone's praise of Mr. Adam's restrictions on the Bengal Press, and his still more objectionable conduct with respect to Mr. Fair at Bombay, that he fully merits the commendations here bestowed on him for attention to the wishes of the Native population, when this does not tend to elevate their political condition, or admit them to a participation of political rights :—

To Sir CHARLES FORBES, Bart., M.P., London.

Bombay, 19th November, 1825.

MY DEAR SIR,—I beg leave to enclose in this a copy of an address from the Native community of this island to our noble Governor, thanking him for his liberality, and the exertion he used during the last dry season, by digging new wells, and opening new tanks, which benevolent steps have saved the inhabitants from much distress; and, I would say, that the Natives of this place all are very comfortable during his administration of Government, and he pays all that respect that is due to the Natives, agreeable to their ranks; and I would sincerely wish that you would try to have this address printed in the 'Oriental Herald,' as well as 'Asiatic Journal.' And this request I make on the part of all Natives, and by their especial desire. Pardon me the trouble I give you in this; and believe me,

My dear Sir, your most obedient servant,  
(Signed) HORMAJEE BOMANJEE.

To the Hon. MOUNT STUART ELPHINSTONE, President in Council, Bombay.

Bombay, 31st October 1825.

HONOURABLE SIR,—Deeply impressed at all times with a sense of gratitude for the benefits which, during your administration and that of the present members of your honourable Board, have been conferred on all classes of the inhabitants of Bombay, so creditable to the name of the British Government, we, the undersigned, beg more particularly on the present occasion, (having been blessed by the High Providence with a favourable season of rain, and expecting a most abundant crop of all descriptions of grain,) to offer you our sincere and grateful acknowledgments for your most munificent and charitable exertions in providing against the want of water during the last dry season.

The kindness of your disposition, which makes you beloved by all, the obliging condescension which leads you to attend with the greatest readiness to the wishes and applications of those under you; but, above all, the noble liberality with which you patronise every public institution for the good of the country, need not now any mention from us; they are engraven on our breasts, and they will be associated in the minds of our children with those institutions, which must remain as a memorial of their founder.

But the more immediate benefits which we have just experienced, as well individually as collectively, who compose so great a proportion of the population of this island, call forth the most lively sentiments of gratitude, and we are therefore constrained by every good feeling to offer you our humble tribute of thanks. Permit us to express our gratitude for the benefits we lately experienced by the opening of the Sally Port, through the ramparts, which has been so useful to the inhabitants of the port, in getting water both by day

and night; and also by the opening of the wells in every part of the island where it was probable they could be of service, and likewise in the construction of the new tanks, and improving and repairing the old ones; which benevolent steps have saved the inhabitants from considerable distress.

Such acts as these, at all times considered as the most charitable in this part of the world, permit us to assure you, are particularly at this period, appreciated as they ought to be by all classes of our fellow-subjects. And with every sentiment of esteem for your justice and liberality, and with every good wish for your prosperity, and that you may continue long to administer the government of this island, we beg to subscribe ourselves, with the greatest respect,

Honourable Sir,

Your most grateful, devoted and obedient servants.

(Signed)

Hormarjee Bomanjee	Dhagjee Dhadajee
Cursetjee Ardeseer	Rugganath Sunkersett
Jahangeer Ardeseer	Madowdass Runchordass
Framjee Cowasjee	Davidass Herjee Wandass
Nowrojee Jamsetjee	Ragonath Madowjee
Cursetjee Monackjee	Wassadew Wissonathjee
Bomanjee Hormarjee	Vethoba Kannojee
Jamsetjee Jeejeebhoy	Bhasker Dadajee
Moolla Pheroze	Vesnoo Sunker Sett
Hormarjee Dorabjee	Padoorung Dulvie
Dadabhoy Pestonjee	Annunta Bhundaree
Jahangeer Nosserwanjee	Kessowjee Pandoojee
Nowrojee Nosserwanjee	Shamo Kossnah Senoy
Hormarjee Dhunjee	Annunta Rogoojee
Limjee Cowasjee	Javerchund Atmaram
Cowasjee Monackjee	Heerjoonjee Nathjee
Herjee Nosserwanjee	Hurrydass Doosarkadass
Framjee Bomanjee	Nagurdass Herjee Moody
Furdoonjee Limjee	Tulseydass Kaleanjee
Cowerjee Ruttonjee	Bhoydass Sakedass
Dorabjee Byramjee	Premjee Peersootum
Merwanjee Nowrojee Monackjee	Ramjee Chatoor
Jahangeer Framjee Nanabhoy	Luckmechund Poonjraz
Cursetjee Cowasjee	Latha Bhanjee
Pestonjee Bhicajee	Dama Gopall
Burzorjee Nonabhoy	Cazee Mahomed Ally
Kikoosroo Sarabjee	Aga Mahomed Soostroy
Hormarjee Bhicajee	Mahomed Ally Rogey
Hormarjee Bhicajee Merjee	Mahomed Seeajee Purkar
Cowasjee Herjee Merjee	Peerkhau Taebjee
Jahangeer Herjee	Hyder Ali Casunjee
Merwanjee Nowrojee	Valey Mahomed Ebramjee
Cowasjee Monackjee	Mahomed Ally Taeb
Sapoorjee Sorabjee	Muncherjee Cursetjee
Sorabjee Pestonjee	Merwanjee Bhicajee
Rustomjee Cowasjee Pattell	Merwanjee Bhoanjee
Vicajee Merjee Pattell	Cursetjee Jamsetjee Soorabjee.

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**SUMMARY OF THE LATEST INTELLIGENCE FROM INDIA AND  
OTHER COUNTRIES OF THE EAST.**

**BENGAL.**

THE arrivals from India during the last month bring intelligence of the highest importance. The Burmese Monarch has rejected our terms of peace with disdain, and hostilities have commenced on his part with renewed vigour. Three days' hard fighting has convinced us that the rainy season has been to them a season for refreshing their strength and recruiting their numbers; whilst our troops have spent it in suffering and in misery. In fact, we have nothing to oppose to their hardy and vigorous forces but the remnants of an army, whose numbers have been diminished by death, and whose energies have been paralysed by a long continuance in a pestilential climate. It has been to us an eternal campaign; for when the Burmese shut themselves up in their strongholds, other enemies appeared against us, in the shapes of famine and sickness. Well may we say

How many mothers shall bewail their sons!  
How many widows weep their husbands slain!

And who have they to thank for these disastrous consequences? The war has been carried on throughout without plan, and without organized preparation. Nothing can surpass the folly of thus contending with a people, about a few lacs of rupees, and a track of country that would be worse than a burden to us if we had it. Although so little progress was made during the last campaign, our terms of peace are those of haughty conquerors. We require that the whole expense of the war shall be defrayed by the Burmans, and the province of Arracan ceded to us. What our enemies thought of these extravagant terms, will be best seen by the following extract from the 'Calcutta Government Gazette' of November 24:

When the terms of the treaty arrived, and were laid before the King, (of Ava,) he flew into a most violent passion, and instantly sent off orders for the war to be carried on with the most vigorous exertions; demanding why time was lost in talking with the English, and the reasons for it, and the delay. The Kee Woonghee and General laid the blame on Menghee Ooznah, whom the King ordered to be put to death; but this was counter-ordered on the same day. It is also said, that when the Kee Woonghee and Attawoons received the terms which the English proposed as a basis of treaty, they lost their hearts, and were downcast, but were obliged to send the information to Court, or their lives would be forfeited. The Burmese Generals daily receive orders to proceed to fight. The general opinion now in the Burmese ranks is, that the English were making fools of them in proposing terms. The desertions from the Burmese positions are very great,—50 to 100 per day. Upon the news of a treaty of peace first reaching the King, he ordered the Europeans out of confinement, and placed them in an open garden of his own; but when the particulars arrived, he ordered them again into close confinement.

A paragraph from 'The Times' of the 11th April, will put our readers in possession of the heads of the intelligence brought by the *Carn-brea Castle*, which left Bengal on the 1st of January last :

The communications received, have reference to two distinct scenes of warfare : 1st, to Ava, where the armistice had expired, and hostilities had, unfortunately, recommenced on the 8th of November : and 2dly, to Bhurtpore, the famous, but ill-omened, centre of a rebellious and formidable country, before which Lord Combermere appeared on the 10th of December, with a force supposed to consist of not less than 25,000 men, with 100 pieces of artillery. Accounts differ, both as to the dispositions with which the King of Ava consented to the armistice, and as to the circumstances which preceded or produced its rupture. Some represent that the Burmese Commissioners were afraid to submit the proposals of our General to their King ; others, that his royal indignation at the nature of them when made known to him, gave rise to an order for the immediate renewal of hostilities ; while an article, dated Prome, the 20th October, asserts, that the Commander of the British forces had received intelligence that the Burmese army was even then in full march, in spite of the still existing armistice, with a view to a general attack on his position. The terms of the proposition which appears to have been so ill received by the Burmese authorities, were, according to one communication, that we should retain Arracan, and be indemnified for our expenses in invading the Burmese empire. The latter condition seems to us to be not altogether modest, considering the very unsatisfactory reasons which have yet been assigned in justification of this disastrous conflict ; and as for Arracan, it must be presumed that *burying-grounds* are scarce in India, or we should not be so eager for the only species of accommodation which a spot so pestilential has yet afforded to its European occupants.

Of any events of a military character which took place subsequently to the expiration of the armistice, we are but vaguely informed ; and such as they are, the accounts that have reached us are calculated to excite the most serious interest in the future progress of the war. It is said, that on the first day of revived hostilities, there was a sharp skirmish between a party of the Royals and of the Burmese, in which the former had three men killed, and a few of their number wounded. It is likewise affirmed, that in this, or some other action, which was fought about the same period, a British officer was killed. But the gravest part of the intelligence which has arrived by the *Carn-brea Castle*, is contained in a private letter, dated St. Helena, February 26, which alleges, that the attack by the Burmese on the position of Sir Archibald Campbell had actually been made, and that a most severe engagement had followed, during three successive days, in which we sustained an alarming loss : eleven officers of his Majesty's army have been killed or wounded, besides those in the service of the India Company. The letter adds, that although the Burmese retired from the field, our troops *were unable to advance*. Now, if it be true, that in attacking a fortified position of the British forces, the Burmese fought with so much effect as to cause the above very grievous loss to the invaders, and exhibited such persevering courage as to prolong the battle during three whole days successively, we do not risk a very bold assertion in stating, that the sooner we make peace with an enemy like this the better ; for, in our crippled condition, with means so incomparably weaker than those of the Burmese, and in a climate so destructive to European life, to succeed against an enemy on his own soil must be all but physically impossible ; and to continue the struggle will but aggravate the wild impolicy in which it appears

to have commenced. Before the time at which this general action is thought to have taken place between the armies, it had been resolved to push a force of 2000 men towards the north-eastward, to operate against Tonga, or Taungoo, which the Burmese had stockaded, and which covered one avenue towards Ummerapoora, as well as a route upon our right flank towards Rangoon. But the *Minerva* was supposed to be waiting for official details from Sir Archibald Campbell, who could not advance an inch beyond his position; and for her intelligence we must wait. In the mean time, it does not appear that the enemy had made any demonstration on the side of Arracan, where their tranquillity was a happy circumstance for our exhausted and inefficient force, of which 300 European invalids were embarking for Bengal, and where some of the regiments could not furnish more than a single officer for duty. The 87th regiment had reached Rangoon, but not soon enough to assist in repelling the attacks upon Sir A Campbell. On the whole, in this quarter, at least, there is much room for grave uneasiness; and we understand that the commercial houses carrying on business with India are thrown into consternation, as well by the failure of the armistice, as by the inauspicious manner in which the campaign has re-opened.

In Northern India, too, the resources of the Company are pressed upon by an emergency which might, we believe, have been avoided, if the opinions of the brave and lamented Sir David Ochterlony had been allowed their just influence on the councils of the General Government. Bhut-pore has become the focus of a movement against the name and power of the Company, which that distinguished officer had supplicated for permission to arrest, before it became too favourable. The rejection of his demand is said to have preyed upon the spirits of this lamented person, and eventually to have cost the nation his valuable life. The fortress is the same which, in 1805, Lord Lake attempted to carry by storm, when the Rajah of Bhutpore had embraced the cause of Holkar; but the British troops were repulsed in three following assaults, with a slaughter unexampled in the history of Indian warfare. After which, although the Rajah submitted to the Company, his impregnable fortress was, on some considerations of policy which we are now unacquainted with, left in his own possession. Lord Combermere, as we have said, moved into the same position which had been occupied by Lord Lake about the 10th of December, but his Lordship had succeeded in cutting off the water which supplied the ditch, and thus is supposed to have reduced considerably the obstacles through which his gallant predecessor had suffered so many and such sanguinary disappointments. However, there may be more work cut out for Lord Combermere than the mere capture of this rebellious fortress. His Lordship is approaching the country of Runjeet Sing, whose power we described above a year ago, as the most formidable among the Native powers of Asia, and whose ambitious policy we then denounced as worthy of the most unremitting vigilance on the part of the British Government.

We had forgotten to add a report, that the Burmese barbarians have murdered our commissioners who were sent to treat for peace; which, if true, requires at the hand of this country a severe and exemplary vengeance.

In consequence of the irregular arrival of ships from India, we often receive letters of a late date before those of an earlier period come to hand; but as we are unwilling that our regard to late intelligence, merely as such, should extend so far as to suppress all the preceding and intermediate links of the chain, we shall give here por-

tions of letters antecedent, by some few weeks, to those received by the Carn-brea Castle, and conclude with portions of others which have reached us by that vessel, extending to the end of December last. One of the earlier letters says :

For some time the eyes of all India were bent on Bhurtpore, near which Sir David Ochterlony had assembled a large force of infantry and cavalry, and an immense battering train for the siege. In the midst of these preparations, Sir David, who has been long looked up to, especially by the Native tributary states, as identified with the Government, if not viceroy over the Governor-General, received an order to desist, and to counter-march the troops to the stations whence he had drawn them. So public an affront, so pregnant, as he must have thought it, with injurious consequences to the public interests, had the immediate effect of determining Sir David to resign his most important office, and Government have been obliged to go all the way to Hyderabad to find a fit man to succeed him in Sir Charles Metcalfe. Thus has closed the political and military career of Sir David Ochterlony, Grand Cross of the Bath, who performed his best services, and earned his honourable distinctions under the auspices of Lords Wellesley and Hastings, and finds that he cannot bear a part in the administration of Lord Amherst, without compromising his own credit and the welfare of his country ! Who is to succeed Sir C. Metcalfe at Hyderabad, I know not. The Court of Directors (that is, Mr. Wynn,) most severely censured Mr. Adam for raising four regiments of infantry, (on the old strength of two battalions each.) What will they say when they hear that Lord Amherst has ordered the raising of six additional regiments of infantry, (of the present strength of one battalion each,) and two regiments of cavalry, exclusive of six corps of levies ; that is, sepoys without officers, but only wanting their complement of officers to become a permanent addition of six more regiments ?

Another letter, which we have seen, from an observant correspondent, adverting chiefly to the proceedings in the metropolis of Bengal, says :

After many doubts and misgivings, Mr. Adam's friends did venture to summon a meeting at the Town-Hall. The dissenting part of the public either absented themselves, or looked on, laughing in their sleeves at the farce which was enacted, all but Mr. Ricketts, whose speech is extant, together with Byam Martin's ineffectual reply. Mr. Watkins, you know, has a heart, and gets his speeches by it. Of course he could not reply to Mr. Ricketts ; but Hogg, the barrister, who, in August 1823, " could not brook the tedium of discussion, (knowing that discussion would be fatal to his cause,) and longed for the eloquence of acclamation," this practised orator heard Mr. Ricketts' two speeches, and yet kept his seat as mute as a fish ! As signatures have been invited from the interior, you may compare their total number, when published, with the total number of British inhabitants within this Presidency.

The death of Sir David Ochterlony has drawn forth a very general and deserved expression of admiration of his character, not un-mixed with regret at the nature of the disappointment which unquestionably hastened his death. On the subject of a tribute to his memory, a correspondent says :

There has been recently a meeting at the Town Hall, Sir C. Metcalfe in the chair, to consider what tribute of respect should be paid to the memory

of Sir David Ochterlony. They voted a statue in St. Paul's, (London,) and a columnar trophy in Calcutta. It appears that Sir C. Metcalfe's sentiments having coincided entirely with those of Sir D. Ochterlony, Lord Amherst has been compelled to screw his courage up to undertake what he had, in the eyes of all India, shrunk from in April last. Bhurtpore is to be attacked in the cold weather, when the enemy will have had fair warning, and ample time for preparation. When Sir David was there, they would either have submitted to any terms, or been subdued in ten days. It was "a very pretty quarrel" *then*, but *now* it has been spoilt by Lord Amherst's inconsistency and imbecility. Sir David's operations, whether terminated amicably or not, would have added credit, which in this country is so great an element of our strength, to the British Government. Now a stain has been incurred: we first suffer an affront, and then labour to redeem our character. Other men would think that local irritations should be treated with promptitude and vigour, and that war on an indefinitely extensive scale should be maturely deliberated upon, and its execution planned and prepared for, before it is declared. But our "mouton enragé" pursues a different course. He rushes blindfolded into a Burmese war, and creeps with the utmost circumspection to the siege of Bhurtpore. But whatever he does, it appears that he cannot deprive himself of the confidence of the Court of Directors and his Majesty's Ministers, though he has long lost (if he ever could be said to possess a particle) the confidence of *every* man in India, a circumstance in which he is clearly distinguishable from *all* his predecessors.

The last instance in which his univalled aptitude to blunder has shown itself, is his selection of an officer for the command of the Calcutta militia, vacant by the death of the respected and lamented Captain Conroy. By universal consent, this officer has not only no merit of any description, but has a certain provable quantity of positive demerit. He had not even *interest*, so that nothing could have recommended him to Lord Amherst but that unconquerable affinity for error which was displayed in driving Sir David Ochterlony from the public service, and in so many other instances.

The accounts from Arracan are more gloomy than ever: 800 deaths within the last month, and only 1000 or 2000 men fit for duty in Morrison's whole army. A Mug and Burmese conspiracy, to finish what fever has left undone, is said to have been discovered by Mr. C. Paton; and the discovery cannot contribute much to the comfort of those whose lives are thus speculated on. Sir A. Campbell is urgently calling for reinforcements, when there is scarcely time, if there be means, to send them. *Another* European regiment, his Majesty's 87th, is under orders for the insatiable Rangoon!

In a letter of a subsequent date, and coming to us through a channel which divests it of all supposition of prejudice or exaggeration, we have seen the following paragraph:

People had been giving Lord Amherst credit for one judicious exercise of his patronage, in appointing Captain Wilkie (a very deserving officer, who had seen much hard service with the Pioneers) to the Futtyglur clothing agency; when some time afterwards it was discovered that his Lordship had given him the appointment on a supposition that he was a brother of the famous painter! Now there had been a brother of the painter's in the service, but he died some twelvemonths before his Lordship's gift to the *other* Wilkie. If Lord Amherst ever "does good" it is "by chance," and he may well "blush to find it *fame*."



We have received Lord Combermere, instead of Lord William Bentinck. The consequences are certain. We are devoted to ruin!

The attention of all India was alternately occupied by the disasters of the past in the Burmese war, and anticipations of the future, in the intended attack on Bhurtpore. The following is from a letter dated early in December, alluding to the latter subject:

Sir David Ochterlony's predictions respecting Bhurtpore have been more than fulfilled. The usurper, Doorjun Sal, and his brother, Mahdoo Sing, have been fighting almost ever since Sir David's hands were tied by Lord Amherst, and many lives have been lost, to the great scandal and disgrace of the paramount sovereign. All this blood is on Lord Amherst's head, for not a drop would have been shed if Sir David's proceedings had not been interrupted. A large army is now collecting to back Sir C. Metcalfe's arbitration of their disputes, and the probability is, that unqualified submission to the terms prescribed by him will prevent a siege. Siege or no siege, Lord Combermere intends to run up by dawk to lead on the troops. Lord Combermere will have under him, Major-Generals Reynell and Nicolls; Sir G. Martin-dale, not having been included in these arrangements, *has resigned*. We have not yet heard of the termination of Sir A. Campbell's forty days' armistice. When or what will be the end of this accursed war, is as doubtful as ever.

One of the most remarkable events of the times, is a quiet but firm resistance that has been made by the Natives of India, to an attempted introduction of stamps on hoondies or bills of exchange. It will remind the reader of the American resistance to the same imposition, and the consequent loss of that country to England as a colony, by the Government of that day obstinately persisting in its folly. The Indian authorities, profiting, perhaps, by this lesson in history, have acted more wisely, and withdrawn their attempt. The following are extracts of two letters, written at an interval of about a month, which we place, however, together, as the latter refers to the former, of which, indeed, it is a continuation. The writer says,—

Business up the country is nearly suspended, in consequence of a new regulation lately promulgated, which requires that 'all Hoondies must be on a stamp. This innovation has so incensed the Shroffs, and other Native dealers, that they will not put their names to these stamped instruments, not knowing to what extent such species of taxation may lead.

In my letter of the 1st ultimo, I alluded to a new stamp-regulation, as having suspended commercial operations amongst the Natives in the interior. This Government have now found it expedient to abolish, as its imposition would have produced a most serious effect on the public treasury, from the complete stagnation of agriculture and commerce. The Ryots and Zemindars declared their determination rather to neglect their cultivation, than to submit to the odious duty; and this appears to have had the salutary effect of procuring its abrogation.

No. 13, of 'The Friend of India,' has just made its appearance. The editors of that milk-and-water publication are beginning to sneak into faint hints at doctrines which they ought to have plainly and earnestly advocated long ago. They formerly *deprecated* the use of the English as a judicial language;—now they *recommend* it. Formerly, they magnified our exploits in India, as eclipsing those of the Romans in Britain;—now they hold up the latter to our imitation. Still they do not yet preach Colonization.

Our latest advices from Rangoon are of the 13th November, when there existed but very faint hopes of an early termination of the Burmese war, the King of Ava having expressed the greatest indignation at Sir Archibald's proposals, and the latter being, I fear, too weak to enforce them, without a considerable increase to his army. We have not yet received any official accounts of renewed hostilities, since the termination of the armistice on the 2d November, although rumours are afloat that the enemy have succeeded in cutting off some of our elephants and cattle near Rangoon. The army in the north-west is in motion towards Bhurtpore; and the Commander-in-Chief is now supposed to have joined it, so that we may shortly expect interesting tidings from that quarter. Our force there is said to be fully equal to the reduction of that place, and any others that may be obnoxious. It is, however, reported, that Runjeet Sing, whose conduct is rather suspicious, has 30,000 horse and sixty battalions of well-disciplined infantry, with a respectable field of artillery, officered principally by Europeans. Should he, therefore, declare hostilities, we shall have sufficient employment for our force for some time to come; and daily experience proves the necessity of augmenting our British troops, as symptoms of discontent have again manifested themselves in one of the Native corps under Brigadier Richards, not, I believe, altogether without cause. The army at Arracan, or rather its skeleton, is to be removed immediately,—the climate, with other causes, having reduced that force to a nonentity.

Many of the transports have lately returned from Rangoon, and some are discharged; it will, nevertheless, be necessary to keep a considerable portion of tonnage at the disposal of Government for stores, as the advance of the army on Amerapoora will render it incumbent on the Commissariat to provide to the utmost for its wants, for supplies are not likely to be met with through any other channel; and depôts abundantly furnished ought to be established at moderate distances, to obviate inconvenience, in the event of the campaign not being over before next rains, when the communication from Rangoon is extremely tedious.

The following has been forwarded to us through an intermediate channel, as an account of the failure of the Congreve rockets in India. It should be mentioned, that Captain Parlbly, of the Bengal artillery, has, for some years past, been engaged in certain improvements in the Congreve rocket, to fit it for India, by manufacturing it on the spot; and that much controversy has taken place on the comparative merits of the two descriptions of preparation. Into this we need not now enter, but we give the communication as it has reached us, with this preliminary observation. It is as follows:

Before the troops, which are to form part of the grand army, assembling for the reduction of Bhurtpore, marched from Meerut, a trial of the store of Sir William Congreve's rockets was made, and from its failure, by the bursting of the rockets, other trials were made; all of which served only to support the supposition, that the whole store of rockets is unserviceable, which will, of course, be attended with enormous loss to the Honourable Company.

On Thursday morning, the 3d of November, the rocket troop went out with its cars, when every rocket fired, burst, (twelve rockets;) and the twelve-pounder tubes, and a portion of the tubes of the six-pounder volley car, were totally destroyed.

The practice was then discontinued, in consequence of the danger to the assembled spectators. Two men of the troop were slightly wounded.

On the evening of the 3d, eighteen more rockets were fired, three of each nature; viz. three 32 prs.; three 24 prs.; three 18 prs.; three 12 prs.; three 6 prs.; and three 3 prs. Those of the larger calibre were fired from a range at an elevation of 20°, and the remainder from the ground; *but the whole of them burst, on being ignited.*

On the evening of the 4th, a similar number of the same nature were prepared, some of which were moistened with water for three quarters of an hour before being fired, but *all burst as before.*

On the evening of the 5th, twenty-four more rockets were prepared, and they were immersed in water for three hours, as a precaution to moisten them; but they also all burst, excepting two, (one 24, and one 18 pounder;) these, with an elevation of 20°, burnt, and went forward about 600 yards; sixty-nine, therefore, out of seventy-two rockets, burst.

The rockets above mentioned were selected from different packages, and it is therefore supposed that the whole store of rockets are bad; and General Reynell has refused to take any of them on service, and has ordered four 12-pounder field-pieces to be supplied to the half-rocket troop.

At Donabew, in Ava, with Sir A. Campbell's army, many of the rockets burst, and notwithstanding this circumstance has not been noticed in the public despatches. It is a fact, that on the 25th of March, 1825, when the army took up its position before Donabew stockade, and the enemy commenced firing, Sir A. Campbell ordered Captain Graham, commanding the half rocket troop, to throw some rockets into the stockade. All the rockets fired, burst, and the rocket car, and nearly all the tubes were destroyed, by the bursting of the rockets.

Such is the fact, while a Company's officer, who, for this last ten years, has been earnestly endeavouring to be employed in making rockets on the spot, has been discouraged in every possible way. So that the army, at *this time of need*, is without a single serviceable rocket.

On the subject of financial and commercial matters, we have the following brief notice in a letter of December:

The Bengal Government has not yet opened a six per cent. loan, as was lately anticipated; nor will they require to do so, unless the war be protracted beyond April or May next, by which period the Treasury will be reduced, in all probability, to so low an ebb as to render such a measure necessary. At present there is a considerable income, this being the period when the revenue is chiefly collected. The crop of indigo is now stated to amount to 140,000 maunds, and the market is rather inactive. The Government is desirous of investing forty lacs of rupees in this commodity, but they decline purchasing at a higher rate than 240 rupees per maund.

The latest letters that we have seen from Calcutta are as gloomy in their anticipations of the future as any of an earlier date; and they are uniform in the condemnation of existing men and measures. The following brief paragraph, which we collect from one of these, is sufficiently expressive:

Died in Arracan, 650 European soldiers, 2500 sepoy, and a greater number of camp followers. Of 205 officers, thirty-eight died, and 137 were sent away on medical certificates. Nine surgeons died. Only twenty-six of the original 205 officers remained in Arracan at the beginning of this month, December 1825.

On this no comment can be necessary. We leave it to make its

due impression on the reader's mind, and add to it other extracts from letters written about the same period. One of these says—

It is said that Government have purchased the *Enterprize* for four lacs of rupees, to run between this and Rangoon. The Burmese war is as far from its termination as ever! The last news from Prome was of a repulse of three detachments of Madras sepoys, with the loss of twelve officers killed and wounded. The scanty remains of the original army have been withdrawn from Arracan, and the new troops sent out to occupy the island of Acam, at the mouth of the Arracan river, which is believed to be healthy. A small detachment, frequently relieved, will be stationed at Arracan. Bugadier McInnes will command. He is now in Calcutta, and very reluctant to accept such a command.

All eyes are now turned on Bhurtpore, where Lord Combermere is at the head of an army of 30,000 men, and which Sir David Ochterlony would have taken, if they had not submitted to his terms, when they were unprepared, with 15,000.

But it is not merely against Bhurtpore that Lord Combermere has taken so large an army, but to be prepared for whatever rebellious combinations may take place among Jauts, Rajpoots, Mahrattas, or Seiks. At present it is doubtful whether there will be a siege, or whether they will accept the terms offered by Sir C. Metcalfe. A few days will decide that point; and if trenches are opened, it will be a transaction of great anxiety, because failure would be pregnant with such serious consequences.

The following is of a later date, by a few days, coming to the 20th of December, from Calcutta:—

There was a report that Government had purchased the *Enterprize* for 40,000*l.*, but it now appears to have been altogether unfounded. I need not speak of the fruits of *anti-colonial* policy, which the Dutch are now reaping in Java. Whether the law of nations has been violated, in compelling the British residents to perform military service, depends upon the as yet unascertained point, whether the British did or did not *volunteer* to serve, or otherwise renounce their privilege, viz., by engaging to obey *all* local regulations, on obtaining permission to reside. Another knot in the drama of Lord Amherst's perplexities. Crawford, the Singapore Resident, is now in Calcutta. Whether he has come on business relating to Singapore, Java, Ava, or Siam, or all, I know not. Our Commissary-General, Colonel Cunliffe, went up with Lord Combermere to see the operations at Bhurtpore. He will not have recovered from the fatigues of a run of 800 miles, before he will receive an order to take *another* run of 800 miles, *back to the place whence he started*, i. e., Calcutta!—our need of his services having been already found, or supposed to be, more urgent than the grand army's, where they have his deputy, Lumsdame. Of Calcutta, it may emphatically be said—

A merry spot it was in days of yore,  
But something ails it now—the place is cursed.

The only difference in Lord Amherst's equestrian appearance on the Course, is, that he is shorn of one of his Aide-de-Camps. Only *one* attends him. Such are the sacrifices he cheerfully makes for the public safety. I yesterday heard that he was seriously indisposed.

The two following extracts relate to matters which, like all similar questions of great local interest, have no doubt exercised the attention of the inhabitants of Calcutta as intensely as the greatest events.

There are many individuals among our readers here, however, who will participate in that interest, and on their account we give them a place :

Mr. Henry Shakspear has been appointed Secretary in the Judicial Department. It is thought that William H. Macnaghten would have been appointed, if something in the tone of his letter—some little bubbling of the Macnaghten blood—had not given offence. We hear that the Directors have restored Frank Macnaghten. His crime, too, was, that he urged a good cause with too much heat,—in his case the heat of his old father, who wrote the (so called, for I have never seen it) intemperate memorial for his son.

Bush Trotter lately wrote two letters in 'The John Bull,' signed 'A Proprietor,' complaining that the ex-officio Directors of the Bank of Bengal, in the exercise of an undue influence over the more numerous elected Directors, had advanced the funds of the Bank in loans to Government, to such an extent as to cripple its operations and diminish the accommodation it had been accustomed to afford to merchants and others, by discounting bills, &c. The usual letter from the Chief Secretary was addressed to the Bull, (i. e. Dr. Bryce,) requiring the name of the author. Poor Bush, an original Bull himself, was surrendered, like another Perillus, to our amiable Phalaris. Then Holt Mackenzie, a son of the Man of *Feeling*, took him in hand; and lashed him in an official letter, with all the vigour of Oriental discipline. Thus, however, not by way of punishment, but merely to state the charges, or rather the crimes, of which Bush had been, in the judgment of the Governor-General, already *convicted*, and to require him to say what he could in mitigation of punishment. Bush, they say, has made a stout, not a submissive, defence, and there the matter rests for the present. His doom is not yet pronounced.

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One of the latest letters we have seen from Calcutta has the following remarks:—

We have just heard that Mr. Adam is dead. He was, I verily believe, a good but weak man; a great alarmist, but at least a sincere one. The errors he committed did not belong so much to him as to those by whom he was surrounded. "Will nobody rid me of this haughty priest?" said Henry II., and a thousand poignards were instantly unsheathed. Do you think the human heart has changed since then?—not a whit. Men in exalted situations have always had, and will always continue to have, an atmosphere of their own; and the unfortunate wretch who breathes it, can hardly avoid sucking in the infection of every evil passion that agitates his followers; and whilst he thinks himself strong in his might and authority, is too frequently the tool of the meanest among them. Such was John Adam's fate. As a man, he will be despised as long as he is remembered, as one who endeavoured to make his fellow-men retrograde instead of advance in knowledge and independence; as a Briton, he will be execrated as one who added yet another link to the chain which bound the liberty and birthright of his countrymen!

The private account of the Appeal having been rejected by the Privy Council has long been here. That affair was not more remarkable, it seems, for those who did not, than for those who did,

attend; I believe I should say, were summoned. How comes it that so many India House men, and *id genus omne*, were there, where I suppose they never assisted before, and where they may be assured they never will be summoned again but on a like errand. Alas! what will become of poor Old England, if the King's Privy Council is thus to be made an arena for evil conflicts. Is there no corner of our mighty realm to which we can look for a decision worthy of our age and country, and unbiassed by petty intrigue and prejudice?

Here, unfortunately, every element of the kind last mentioned has lately been put in motion by the appointment of Mr. Bayley to Council, and by Mr. Plowden's death. The candidates for the vacant secretaryship, are, Courtenay Smith, certainly one of the very few able men in the service, H. Shakspeare, and William M'Naghten. The first, they say, is not, and the second is, to be chosen; I am sure I don't know why; the third is a very promising young man, and every way worthy of encouragement, which is probably the reason he has not succeeded. In the salt agency, after letters and application, which I am told even the courtier Lord Minto would not have put up with, Mr. Donnithorne succeeds Mr. Plowden; and some men, we are told, are going home in high dudgeon, because their eighty thousand rupees a year are not increased, by the appointment, to ninety-six, and that after near twenty years' service! Poor fellows! Really the salt monopoly is a great abomination. Tucker rates the profits to the Company too low, by the by. I wish he had explained what he thought a fair and equitable compensation for the Kalary lands, which, you know, are taken by Government at their own price, from occupants who, but for the protecting states' prohibition, might turn them to immense advantage. His book, upon the whole, is liberal. His preference of the permanent settlement strikes at first sight as correct, and yet his reasoning is afterwards, I think, impaired on closer comparison. For example, his lamentations over the too favourable terms allowed by Lord Cornwallis, will obtrude themselves in spite of elaborate indications of a better feeling. It is remarkable, indeed, how completely that common object of plunder, the Native Indian, is overlooked in the discussion, or only now and then introduced to show how much he has left; in the same spirit, I suppose, that our first James is said to have exclaimed on passing the large estates of our nobles, "What fat confiscations they will make!"—In India, the only question seems to be, which system will yield most revenue money; that one thing needful decides the controversy; and the most triumphant part of Mr. Tucker's argument is the defective produce of the ryotwar system. Still there is something here which we cannot comprehend. One would imagine that that system, however bad in principle, ought to be more productive, if it were only by banishing the expensive machinery of middle men, and bringing the peasant into more immediate contact with Government, as the universal landlord. I incline, however, as I before said, to Mr. Tucker's opinion; but there is, I think, some exaggeration in some part of the statement, which makes me desirous to reconsider the business. With

regard, however, to his opinions, rather hinted than openly expressed, that the Natives of Bengal Proper are not sufficiently screwed as to land taxes, I disagree not only on account of justice but of sound policy. By leaving them *some* surplus beyond what we choose to think enough, their comforts, and consequently their consumption of all that we could furnish them with, would be increased; wealth would accumulate, and the "keen eye of the financier would find something that he could touch," the want of which Mr. Tucker states as a kind of excuse for the salt monopoly, a tax more grinding upon the nation than he seems at all willing to allow; for it is absurd to say that a tax, which takes nearly a twentieth of the working peasant's whole income, is scarcely perceptible and hardly felt. By the richer individual, indeed, it may be thought to bear equitably upon the public, because it bears lightly on themselves. This monopoly, too, affords greater temptation to fraud than can well be imagined by those who do not know, that if any individual carries on a manufacture clandestinely, and then informs against himself, he may, with little management, realise from three to five hundred per cent. by the confiscation of his property! The Europeans, be it observed, contribute to this branch of the revenue, so let it not be said that we are untaxed; but the opium monopoly goes still farther, and bears upon the good people of England also; for Mr. Tucker distinctly admits, that the Chinese make the Company pay for their tea in proportion to the high rate at which they are obliged to purchase the Company's opium, in consequence, our author insinuates, of our tenderness for Chinese morals! No such feeling, it seems, prevented Government here from establishing the aukary, or license to get drunk, to be purchased, like the Pope's indulgences, by our own Native subjects. Upon the whole, however, the book is a good one,—and very judicious too,—for the feelings of disappointment at the last election are not allowed too palpably to interfere with the promise of the future canvass.

Galloway's book<sup>1</sup> I have not yet been able more than to dip into; it is evidently the rakings of old studies, abandoned probably in the prospect of a more profitable occupation. In the hasty glance which I have had, I read in the Preface, "it is impossible to conceive, far less to appreciate, in pounds, shillings, and pence, the incalculable benefits which England has conferred on India;" and at page 138 of the work, "what can the most expert financier hope to levy from a people who live in a state of nakedness, whose habitation cost perhaps a rupee, and where, in many parts of the country, labourers, heads of families, receive no more than five shillings a month?" Thinks I to myself, the author is right; these benefits conferred by us in less than a complete century *are* incalculable, in *pounds, shillings, and pence*. He is a ryotwarrist it seems! I almost repent me of my indecision.

#### RANGOON FORCE.

The remarks of the Indian 'John Bull,' which we have seen in a

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<sup>1</sup> On the Law and Constitution of England.

late number of that paper, proves that even he is at last convinced of the imprudence of our continuing longer to prosecute the Birman war. On his conversion to this opinion, he will no doubt receive the cordial congratulations of his contemporaries in India. The annexed extracts from this paper will show our readers that we have some foundation for our conclusion :

From the active operations now going forward at Bhurtpore, we naturally turn our attention to Prome, from which we still remain without any intelligence beyond the 21st November. The enemy with whom we have to contend in that quarter, and the country in which our warlike operations are conducted, preclude the possibility of those active movements which seem so essential to the character of our power as paramount in the East, and on this account, more perhaps than on any other, is the present war with Ava to be regretted. However signal ultimate success may be, delay in arriving at it must affect the very foundation of the power; and perhaps no object, whether of conquest, or security, or vindication of our authority, ought in good policy to be attempted where it cannot be promptly accomplished.

The situation of Sir A. Campbell must be more and more embarrassing, from the increasing force which the enemy had collected around him. It is said that our troops would be obliged to act immediately on the offensive, in order to break through the lines of the Burmese. We confess we feel no little anxiety in regard to our army at Prome. We were not prepared, after the accounts we had received, to hear of such formidable means of resistance, as the Burmese are now said to be bringing forward : and cannot reconcile the statements formerly made, that as soon as the season permitted our force would advance to Ava, without finding the enemy in any force to oppose them.

Public anxiety has not perhaps been so much roused as at this moment, since the commencement of the war. All letters speak of the Burmese being well aimed to an extent that we could not have believed, and of their displaying a determination to resist, far more vigorous than they were deemed capable of.

Letters from Rangoon, to the 17th of November, state that considerable difficulty prevailed in getting dawk boats to proceed to Prome, as the people are afraid to go up. Captain Dickenson, who is at Pegu, expected to be attacked by the enemy. The force at the latter place amounted to about 1100 bayonets, and two brigades of guns.

We give an extract from the despatch of Sir A. Campbell, relating to the action near Prome, dated Nov. 18, 1825 :

The point upon which the different corps were directed to move, was the village of Watty-goön, distant from Prome 20 miles, where my information led me to suppose a body of only 2500 Shans and Burmese were assembled.

For the purpose of dislodging this force, I placed two brigades of Madras N. I., under the command of Col. Macdowall, directing him to approach the enemy's position with three regts. of N. I., so as to assail his left flank, while Major Evans with the 22d N. I. was ordered to move upon the front of the position, and to attack in concert with the main body.

I also moved forward the 18th N. I. to the ground left by the 22d, to be in readiness to afford support to the latter corps, if required. The uncertain state of the roads and country did not permit the columns being accompanied by artillery.



The 22d N. I. upon the enemy's position at Watty-goon, and Major Evans, from the firing on his right, considering Col. Macdowall's column in the act of attacking, gallantly moved forward to take his share in the engagement, but finding himself mistaken in that point, and the enemy much too numerous and strongly posted to be assaulted by a single regiment, he deemed it prudent to retire. The column under Col. Macdowall's immediate command approached the position of Watty-goon by the left flank, and reached that point after a severe conflict with the enemy's troops in advance, but the apparent strength of the position not warranting an assault, a retreat was determined on, in the course of which, the 38th N. I. coming up materially checked the pursuit of our retreating columns.

#### NAMES OF OFFICERS KILLED AND WOUNDED.

*Killed.* Lieut.-Col. C. R. Macdowall, (who fell by the first shot.)

*Wounded.* 43d M. N. I. Capt. H. Wiggins, slightly; Capt. A. McLeod, do; Lieut. T. C. Rankin (since dead); Lieut. E. C. Manning, severely; Ensign W. Elsey, dangerously. 28th M. N. I. Capt. H. Coyle, severely and dangerously. 22d M. N. I. Major R. L. Evans, severely; Capt. C. M. Bird, do. not dangerously; Lieut. J. P. Hay, do. do.; Lieuts. J. Darby, J. Shapland and M. Poole, slightly; 51 rank and file killed; 103 wounded; 39 missing.

The 'New Times' of the 12th of April, has the following account:

We learn from a passenger by the *Lady Flora*, who left Prome on the 2d November, the day the hostilities recommenced, that the men there were in a healthy state; the sailors, about 300 in number, would take Amerrapoora in a few hours, if they were allowed to attack, and were very desirous of being employed against it. Mr. Robertson had not arrived at Prome, but he (the passenger) met him at Rangoon, on his way thither. The same gentleman saw Lord Amherst on the day he left Calcutta, and his Lordship appeared very anxious that a peace should be concluded.

The extract from a private letter given below, dated Calcutta, December 6, goes at once to prove that the *onus* of continuing the war throughout the present campaign entirely rests with ourselves, and that too for a sum which ought not to weigh a feather in the balance, when the probable consequences of the measure are taken into consideration:

We are anxiously waiting for news from Mr. Robertson, lately appointed Commissioner to Prome: it is better to have a civil servant than a military commander as the negotiator, and although hostilities have again commenced, I think that the Burmese would be inclined for peace, if we gave up the demand of the two crores. Golden Feet replied to this demand, and very wisely, perhaps, "that he thought *he* should be paid for having his country laid waste by fire and sword, instead of being required to pay for such uncivil and unneighbourly offices, especially as so small a matter was made the bone of contention between two powerful nations." One would think we had now enough upon our hands between Bhurtpore and Ava, and all this in the midst of improving times. The idea of demanding or expecting the sum of two crores from the Burmese, is perfectly absurd; the demand may be a plea for continuing the war, but it must be well known to all individuals on the spot, that it can never be obtained, and for the very best of reasons, because they have not got it.

The following is from the 'Calcutta Government Gazette,' of November 28 :

The last arrival from Rangoon has brought very little news from our army in Ava. His Majesty's royal regiment had embarked on board the boats of the flotilla, and proceeded to Yeoundoon, about the 22d of October. One of the guides went to Me-a-dy by water, in the boat of a trader, and remained at that place six days. Whilst he was there he heard that at Matoon, under Amaibaboo, there were only 4000 men; at Pullo, on this side of Me-a-dy, 6000, together with thirty guns of all sorts. He also heard that 6000 men had been detached at Patto, on the right bank. There were 3000 men, and 4000 have gone inland towards Maindoon.

It was said that the concubine Queen's brother, Chulla Mainza-Mauno-Mandagie, who had been nominated Generalissimo of the Burmese army, was proceeding down from Ava with 6000 men, and had reached Paghan. It also appears, that a petition had been sent up to the King from the Keetronhee and chiefs, but the nature of the answer was not known.

*Prome, Oct. 20, 1825.*—The Commander of the Forces has this morning received information too circumstantial in its details to be neglected, though almost too atrocious in its nature to be credited, being in substance, that the Burmese army is now in full march towards us with a view to a general attack upon our position, and that they are executing this movement under express orders from the King of Ava, in open and shameful violation of an armistice concluded under the authority of the commanding Generals of both armies, on the basis of the plighted faith of their respective Governments.

Still later intelligence has reached us in private letters, from the spot itself, as well as from Calcutta, from which we select the two following :

Brigadier-General McCreagh, his Majesty's 13th Light Infantry, is proceeding from hence to Europe for the recovery of his health. Captain Alexander, of his Majesty's ship *Alligator*, had likewise come down to Rangoon, but was so much reduced and exhausted by the passage in the boat, that all hopes of his recovery were given up by the medical gentlemen, and being hoisted on board of his own ship, they considered it too much for him to be again removed, otherwise he would have accompanied General McCreagh in the *Bannerman*, who was afforded medical aid; he was likewise on his last legs, and as we were waiting for them, the moment he arrived alongside he made all his arrangements, and started at midnight from Rangoon, and got to sea in twenty-four hours, where he found himself much refreshed. Captain Alexander, in a fit of delirium, leaped from the quarter gallery at midnight, and was saved by one of his own crew.

By the *Mermuid*, which sailed from Rangoon with despatches, you will no doubt have heard of the failure of the treaty, and that all hopes of a present peace had been relinquished: it was reported that our force was to advance about the 10th, and General Campbell had every thing in the most effective state when General McCreagh left him on the 2d November; he was one of our Commissioners, and says that those of the Burmese appeared intelligent sensible men, and perfectly competent for negotiating, had it pleased his golden-footed Majesty to listen to our terms; but, as far as I learn, he expressed utter astonishment at our demanding any accession of territory, or payment of any money, considering us well off to be allowed to make peace and leave his country. His Majesty's 87th had reached Rangoon, and were under immediate orders to proceed to Prome. His

Majesty's sloop *Champion* anchored off Rangoon on the 6th November. About sixteen sail of shipping were under orders for Calcutta, and we were detained during the whole armistice, as they then considered peace would be concluded, and we should be ready to take back troops. I understand shipping is still in great demand by Government, and it is not unlikely we may have another trip to Rangoon.

Since my last I have been favoured with an account of the meeting of the Commissioners, by General M'Creagh. The principal part of it was after having met repeatedly and explained the terms on which we could only withdraw hostilities, our Commissioners invited them one day to dinner, when they partook of almost every dish presented, but they all appeared particularly fond of roast mutton and ham; they were somewhat at a loss to use the knife and fork, but confessed it was a more princely way of feeding than their own. Wine of every description, with beer, brandy, &c., were indiscriminately presented to them, and they appeared to partake of them more out of compliment than any pleasure they derived from them, but after once performing the ceremony, they could not be prevailed upon to continue their libations; the head Commissioner was the first subject in the empire, superior in rank to the royal family, and second to the king himself. On breaking up the party, this gentleman appointed two of their Commissioners to attend Sir Archibald Campbell back to his own camp, as a mark of respect; and as this presented a most favourable opportunity of our forming some idea of the strength of the stockade at Meedai, General M'Creagh and Captain Alexander, who were to advance with the water column in case of necessity, were appointed to return the same compliment to their head Commissioner, but the honour of their attention was no sooner explained to them than they declined it in the most respectful and complimentary manner, assuring General M'Creagh they were perfectly sensible of our polite attention, but they could not be prevailed upon to think of exposing them to the excessive heat, and as strangers in their country, they considered the attention they had shown to General Campbell, by the attendance of two of them, did not by any means require the same attention from us in a strange country. General M'Creagh, however, was so anxious to form some idea of the ground about Meedai, that he used every means to convince them of the necessity of attending them, having once received the orders of his own General to do so, and that the custom of our country was most ceremonious in that respect. Gen. M'Creagh and Capt. Alexander embarked in one of the frigate's boats which was attending them, and rowing up towards the Burmese Commissioners, expressed their attendance in readiness to proceed with them, but after about an hour of complimentary excuses, always expressed as in consideration of the exposure of the crew of the boat, of themselves, and the entire satisfaction they felt from our kind offer, they could easily perceive that the Burmese were as anxious that we should not, as General M'Creagh was to see, the situation of their stockade, and they with all their politeness could not conceal their anxiety to get rid of him. On returning to our camp, he understood they were most inquisitive respecting his rank. Being hurried away from an advanced post to meet the Commissioners, he had left his full dress behind him, which made his appearance rather singular to them; and they were frequently overheard by our interpreter, when inquiring about General M'Creagh, coupling his description with Cheduba, Commaroot, and several stockades, where his Majesty's 13th Light Infantry had punished the Burmese severely, and they considered that were he the same person, he was no friend of theirs. The answer to our terms had reached Sir Archibald Campbell on the 2d, which

was, the King's utter astonishment at the presumption of the white strangers in either demanding him to give up territory, or pay money, and ordered one half of them to be put to death, and the other to be allowed to leave his kingdom, to convince them that his tender mercy towards them was not extinct.

#### ARRACAN.

The following extract of a letter, dated Arracan, Nov. 1825, first appeared in the 'Globe' Evening Paper:

We are not aware of our enemy being near us: and it is well there is none, for we cannot muster 1000 men who would be able to march a few miles. Three hundred sick Europeans are now on the point of embarking, and the state to which the remainder are reduced is most deplorable. During the rains, we have buried upwards of 3000 men; there are now 4000 in the hospital, and those out of it are so reduced as to be scarcely able to lift a musket. Some of the regiments have only *one officer for duty*.

The same paper, of the 12th of April, contains the following remarks:

A morning paper, 'The Representative,' attempts to controvert the opinions advanced in the pamphlet of Col. Stewart, (in which almost every one connected with India seems to concur,) on the impolicy of the Burmese war. Col. Stewart's objection to the Burmese war, *in limine*, was, that it was a departure from the safe policy of conservation, (which has been prescribed to the Indian Government repeatedly, by the Government at home,) for the purpose of carrying war beyond the natural boundary of India. There were never two neighbouring countries more completely cut off from one another by physical obstacles than the Burmese territory and our Indian empire. This is sufficiently established by the fact, that with all our power and skill, we have not been able to penetrate into the Burmese territory by land; and it is shown, by the result of every action with them, that, out of their own jungles, the Burmese would be the most contemptible of opponents, and could have been repelled, with little trouble and expense, at the few points at which they could have made an incursion. It may be said, indeed, that the nature of their boasted armies was not, before the contest, well understood; but surely the plea, that the Indian Government was ignorant of the resources as to the Burmese, is a very bad justification of the policy of beginning an offensive war against them.

With such rare occasions of coming in contact with the Burmese, that scarcely a British subject could be found in India who had the slightest knowledge of their language, the whole cause of war—of aggressive war—resolved itself into insults which, under these circumstances, were of just as much consequence as he bawling of a fishwoman at Calais could be to a man at Dover. The Emperor of China, and his officers, every now and then utter proclamations, in which they treat us, of this the only civilized quarter of the world, in most contemptuous sort, as wretches who only alleviate the misery of our existence, by making broad-cloath and watches for the celestial empire; yet no one but a school-boy, or those who took in dudgeon the threats of the King of Ava, would think of making a war upon China, to prove to the Fum-Hos that we are really a great people, and possess nobles and gentry, magistracy and clergy, and all the component parts of a well-organised state.

The defence set up for the Burmese war, by the paper to which we have referred, is, that "we are entirely supported in India by the force of opinion." It should seem, from the sort of enterprises which this phrase is

often used to defend, that the "opinion," by which we are supported in India, is the opinion that we are fools. The phrase, however, is a very absurd one, which has been repeated, cuckoo-like, many thousands of times, without any examination of its import. Undoubtedly "opinion" is generally the support of Governments—the opinion that the man who resists will be hanged, or dealt with in some equivalent manner,—an opinion which is nowhere better founded than it is in India. We are supported there, just as the other Governments are supported. We take as much revenue as the land will yield, and employ more functionaries than are sufficient to eat it. We have the command of the whole armed force, who there as elsewhere, do as they are bid to do by those who feed, clothe, and pay them. Over and above these advantages, which are generally sufficient in other countries, we have the advantage of subjects prone to obedience, of civilization confined to the ruling class; of an influx from Britain of a superior class of soldiery, on whom we can always rely; and of a navy, whenever it is needed, quite irresistible in its element, and exempt from any accidents which might affect the body of the empire. Our empire will be kept by the same sort of opinion by which it has been conquered, and not by wasting our resources in enterprises beyond the limits of India.

We cannot now place ourselves in so secure and advantageous a position as we were in before the commencement of the war, except by extending our dominions to the borders of China. Whether this, under the present circumstances, may be the best policy, depends upon the temper of the Burmese people. It is a policy which may now be forced upon us.

The latest accounts are said to be still of the most distressing description. The 1st grenadier regiment got down to Chittagong in three days, and it was expected were to be moved on to Talak, their present encampment being found very unhealthy. The same letters mention, that Gardner's horse had been sent from Arracan on the new road by Ramoo to Chittagong. They had marched on the 10th of November, and some apprehension had begun to be entertained, as they had not been heard of at the date of the letters. These apprehensions had been somewhat strengthened from the circumstance of a boat having arrived at Chittagong with sick from Arracan, which had left the latter place eighteen days after the force had marched; at which time they were as much in the dark as to their movements at Arracan as at Chittagong. It was expected when Gardner's horse left Arracan, that they would reach Gurjineea in eight days.

The arrival of the ship *Gillmore* at Calcutta, from Arracan, is mentioned in the papers of the 12th of December. Brigadier Richards was a passenger on board her, he having suffered severely from what is called by the troops the *Arracan pestilence*. He was, however, considerably recovered. The *Gillmore*, on reaching the hospital ship, found that Lieutenant Patton, of the 44th King's, and Lieutenants Pitcairn and White, Madras establishment, had been carried off. Captain Grinley, 54th King's, had also fallen a victim.

The death of General Morrison, one of the best officers in the service, who died on his passage to St. Helena, is an additional cause of regret that our troops should have been exposed, by the infatuation of the higher powers in India, to so unhealthy a climate as that of

Arracan. 'The *Times*' very justly remarks, that India must be sadly in want of burying-grounds to make us wish to possess it.

The following letter has appeared in the '*Bengal Hurkaru*' of the 3d of November :

In advertence to the paragraph in your paper of to-day, in which you notice the report of the conference between Sir Archibald Campbell and the Burmese authorities, and which you conclude by saying, that you admit the pleasing hope of a speedy termination of the war; I have to acquaint you, that I have read a private communication, of credible authority, from Rangoon, in which it is stated that the armistice had been already broken in Pegue, and that a force was about to be despatched from Rangoon against it. The date of the letter is early in October.

Pride is an element in the Burmese character; the poverty of the nation is now generally admitted: and bearing in my mind that every previous interruption to good understanding was adjusted by *negotiation*, I have no hesitation in saying, that had the late Major Canning, on the capture of Rangoon, been despatched as a diplomatist to the Court of Ava, matters might have been immediately concluded. But when it is considered that the war has been carried on at an unprecedented outlay of means, and that the cessation of it, on our part, hinges on the question of remuneration, the thinking mind will not be disposed so readily "to admit the pleasing hope, that a few months will see the conclusion of the war."

#### CENTRAL INDIA.

The subjoined Proclamation, issued by the late Sir David Ochterlony, will show the origin and nature of the quarrel at Bhurtpore :

"The Faithful Servant of Muhumed Akber, Shah Badshah Ghazy, General—Sir David Ochterlony, Bart., Buhadur—Jufur Jung, Nuseer Addoulah Muneer Al-malk, the Great Sindar.

Proclamation addressed to the Chiefs of the Bhurtpore Government, and to all the Attendants, Dependents, Officers of Regiments, Risalahdars, and other Authorities, military and civil, in the service of the Bhurtpore Government.

Be it known to all persons in the territory of Bhurtpore, that the deceased Muharajah Buldeo Singh Buhadur, through wisdom and foresight, appointed, in his lifetime, his beloved son, Muharajah Bulwunt Singh Buhadur, to succeed him on the throne, and solicited from the Company a khulaat, or robe of inauguration. This request was complied with by the English Government from a sense of justice; and the robe was accordingly bestowed by the Governor-General, through me. I proceeded in person to the Fort of Bhurtpore, and invested Muharajah Bulwunt Singh with the robe, in public Durbar, with the approbation of all, and in the presence of Muharajah Buldeo Singh Buhadur, his brothers, relations, followers, &c., from the period Bulwunt Singh was taken under the protection and care of the British Government. I immediately went from Bhurtpore to Diblee, and Muharajah Buldeo Singh having retired to Gower Dhun, died there.

Soon after his death, some officers of the army, and men connected with the Fort of Bhurtpore, from wickedness and folly, and being also excited to disobedience and rebellion by Kower Durjun Sal, (son of the deceased Rao Luchmun Sing,) kindled the flame of war and strife to such a pitch, that they even spilt blood, and committed murder. At length Kower Durjun Sal obtained admission into the Fort of Bhurtpore.

On this account I have addressed you. It is well known to you all, that Muharajah Bulwunt Singh Buhadur, agreeably to the custom and usage of the Government, is the lawful and proper heir. On this subject there is no doubt in the minds of people of any sect. It is, therefore, incumbent on all the servants and followers of this Government to unite in eradicating and expelling the said Kower Durjun Sal, and not in any way to permit his interference in the Government of Bhurtpore. It is also proper, that you should devote yourselves day and night to the guarding and preserving the life of your lawful master, Bulwunt Singh; by acting thus, your good services will be proved both to the Company and the Muharajah.

If you succeed in expelling the aforesaid Kower Durjun Sal before the arrival of the Company's victorious army, it will be exceedingly proper, and extremely gratifying to the British Government; you will then gain the favour of Government and of the Muharajah. But if, in consequence of his having obtained possession, it is not now in your power to expel him—in this case it is fit that all the servants and dependents of the Government should exert themselves to the utmost for the preservation of Bulwunt Singh and his mother.

Keep your minds at ease, and rest perfectly satisfied, as the English army is at hand, and will quickly appear for the purpose of affording assistance to the Muharajah, and expelling Kower Durjun Sal. The utmost caution and circumspection is necessary, however, in the interim, that no injury may happen to the Muharajah; otherwise, his relations, and those about the Government of Bhurtpore, will, in the eyes of all people, be disgraced and degraded; their ingratitude will also be fully established.—Let all act according to this Proclamation."

Bhurtpore is a town in the province of Agra; and the Rajah of Bhurtpore is one of the principal chieftains of the tribe of Jauts. He possesses a considerable territory, and several forts in the vicinity of Agra and Mathura, on the right bank of the Jumma. In 1805, this fortress sustained a siege, memorable in the annals of India, by the forces under the command of Lord Lake. The garrison repulsed, with vast slaughter, the most desperate assaults of the besiegers. The British experienced a greater loss of men and officers than they had suffered in any three of the greatest pitched battles they had fought in India; but the Rajah, perceiving we must ultimately prevail, sued for peace, and sent his son to Lord Lake's camp with the keys of the fortress.

The Calcutta 'John Bull' of December 26, has the following account of the active operations going on at Bhurtpore:—

Contrary to the expectations of many, Durjun Sal has permitted active operations to commence against Bhurtpore on the part of the besieging force. The morning of the 10th instant saw the head-quarters of a British force established once more under the walls of Bhurtpore, and the position of Lord Lake, so celebrated in the history of our power in India, again taken up by the division under Major-General Nicolls. Our troops had succeeded in getting possession of the sluice which lets in the water of the Gheel to the wet ditch of the fort—a success regarded as of considerable importance in expediting operations. The stopping up the Bund, which had been ineffectually cut by the Bhurtporeans, had been intrusted to Capt. Irvine, of the Engineers, who accomplished it without any loss upon our part. By the 12th it was expected that the whole field of artillery would

be in position; and from the admirable state of equipment of the whole force, and the spirit with which every corps is actuated, we may rely on soon having to communicate to our readers the fall, and, we hope, the final extinction, of this once proud and formidable fortress. The energy and activity displayed by the Commander-in-Chief, in reaching and taking into the field the besieging army, is beyond praise. It was anticipated by no one that the force could be in position sooner than the 15th, or even the 25th of December; but they who thought so calculated, it seems, without a knowledge of what an active commanding officer may achieve.

Since writing the above, letters from the camp before Bhurtpore, of the 11th, announce that the Dewan had been sent out by Durjun Sal to plead for peace, but nothing of the result was known.

Letters from Agra state, that the Bhurtporeans were firing away at every thing that approached the place, from which we may gather that the Dewan, if actually sent out on the 11th to supplicate peace, had been unsuccessful.

The 'Government Gazette,' of the same date, gives a further account of the operations of the 12th:

The infantry of the division under Major-General Nicolls having been prevented from proceeding on the 10th to take up its assigned position before Bhurtpore, owing to the want of provisions, the Major-General detached the 1st brigade of cavalry at four o'clock in the morning of that day, under the command of Brigadier Murray, in order to take advantage of any attack which might be made by order of the Commander-in-Chief, on the force stationed on the northern face of Bhurtpore, for the protection of the Bund. This detachment consisted of four squadrons of his Majesty's 16th Lancers, under the command of Major Perse; four squadrons of 6th Light Cavalry, under Lieutenant-Colonel Becher; 8th Light Cavalry, under Lieutenant-Colonel Gall; a troop of Horse-Artillery, with two 12 and two 6-pounders, under Major Whish; and a detachment of Skinner's Horse, under Mr. Fraser, who led the advance. On arriving in the vicinity of the Bund, on the north-west side of the fortress, an encampment of the Bhurtpore cavalry was discovered, while a village also was occupied by their picquets, and several patrols skirted the wood on our right flank. Skinner's Horse and the flankers of the column were directed to make a flank movement, by which they cut off about ninety horsemen, before they could reach an outwork, where the greatest proportion of them, with the loss of a considerable number of their horses, took refuge. Two supporting squadrons also of his Majesty's 16th Lancers, and 8th Light Cavalry, under Lieutenant-Colonel Becher, attacked a small village which Durjun Sal's troops had occupied, and where several of his cavalry were cut up, after making a determined resistance. About this time the guns of the fort opened, but did not effect much mischief. Brigadier Murray speaks in handsome terms of the zeal and intelligence of Mr. Fraser, in command of the detachment of Skinner's Horse, with whose behaviour he expresses his high gratification. The casualties were very few. Mr. Fraser received a slight wound on one side of his forehead, and Lieutenant Armstrong, of his Majesty's 16th Lancers, was hit by a spent ball on the right side.

Since the above was in type, we have received the following private intelligence from Bhurtpore, dated the 13th:

On the 11th a grand reconnoissance of Bhurtpore took place. Lord Combermere, accompanied by General Nicolls, went entirely round the fort. There was much cannonading; six or eight men were killed and wounded, which is letting us off cheap, considering that they were fre-



quently within three hundred yards of the fort. As the artillery will all be up to-morrow, the batteries, which are to be commenced upon immediately, will soon be armed. The timely stopping up the sluice, cut too late by the Bhurtporeans, has had the best effect, leaving, it is supposed, only four or five feet water in the ditch, and thus depriving the fort of its chief defence.

Letters from the upper provinces speak generally of the probability of the army now taking the field, finding occupation after Bhurtpore shall have fallen into our possession. There are said to be thirteen or fourteen other forts to reduce, some of them of considerable strength; but it would seem more probable, that, on Bhurtpore being reduced, the weaker Rajahs, now in a state of insurrection, will see the wisdom of submitting.

In announcing to our readers the safe arrival of the *Enterprise* steam vessel, Captain Johnston, which reached Calcutta on the 9th of December, we have the pleasure to lay before them Captain Johnston's own account of his voyage.

The liberal offer of a premium in India for the encouragement of steam navigation led to the equipment of the *Enterprise*, and no pains or expense was spared to make her an efficient vessel for the undertaking. But although in the event of her success it was intended for future voyages to establish several depôts of coals between England and Calcutta, it was deemed most expedient to construct a vessel, in the first instance, which should carry coals sufficient for half the passage, which would make only one depôt necessary, and that one was to be at the Cape of Good Hope; but as the vessel could not take any ballast in addition to her coals, it was necessary to provide some means of replacing the weight that would be consumed, and iron tanks were constructed, which, after being emptied of their coals, might be filled with water to serve as ballast.

The quantity of coals required for thirty-five or forty days' consumption, about 380 tons, when taken on board, brought the vessel so deep in the water, that for several days her speed was much retarded; and afterwards, when the coals in the vicinity of the engine-room were consumed, the taking supplies from the tanks so fully employed all the seamen that could be spared to attend to the sails, that the advantage that might have been derived from them was lost. We had calculated also on benefiting by the N. E. trade wind for several days; this completely failed us, and, on leaving its limits, we encountered instead of calms only strong gales with fresh winds and currents against us. The first cause of our delay having occasioned a waste of coals, we were now obliged to save fuel when we could, and to make a circuitous route under sail, instead of a direct course by steam.

This circumstance, however, had the good effect of establishing the fact, that without our steam we were on a par with any sailing ship. We visited the island of St. Thomas for water, and reached the Cape, on a moderate calculation, twenty days later than we should have done had we started in good time, and with an intermediate depôt. We were eight days at the Cape, including that of our arrival, but of these we were prevented from working two days by the gales of wind, and one was given up to the public to view the ship. As we were under the necessity of taking on board the full quantity of coals from the Cape, on leaving it we laboured under the same disadvantage as on leaving England; and although we started from the Cape with a fair wind, immediately we were out of Table Bay, the wind came from the S.E. and blew fresh with an adverse current. We afterwards experienced a S. E. gale off Algoa Bay: subsequently, currents for several

days running against us at the rate of eighty miles in twenty-four hours. The N. E. monsoon blowing down the Bay of Bengal, and our coals beginning to draw near to an end, obliged us to make a circuitous route to the Sand Heads, where we arrived on the 47th day after leaving the Cape. Had there been an intermediate depôt, this passage would in all probability have been made in ten or twelve days less time, which, added to the twenty days by which the passage to the Cape might have been shortened, and the three superfluous days at the Cape of Good Hope, would leave seventy-eight days for the period of the first passage, undertaken at the most unfavourable season! In determining, therefore, whether it be worth while to encourage steam navigation to India, it will be but fair, without reference to the time prescribed by the premium, to compare the time occupied by the *Enterprize* on her present voyage, with that in which it is made by any other ship which may have left England at the same time of the year.

Seventy days, the time allowed by the premium, is very short, but I am convinced, that the averages of the voyages, under other arrangements, would be less than eighty; and I have no doubt of making the passage to England in seventy days, having written to the committee from the Cape to request that a supply of coals may be immediately forwarded to Madeira, and having ordered another quantity to be sent from the Cape to St. Helena; a further supply will immediately be forwarded from hence to a depôt between Calcutta and the Cape; and the spare room in the vessel, hitherto occupied by coals, will now be available for light and valuable freight.

#### BOMBAY.

Intelligence from Bombay has reached us to the 18th of December. It announces the breaking of the armistice with the Burmese, and the recommencement of hostilities, which immediately followed the indignant rejection of our terms of peace by the King of Ava. One account says, that when the propositions were made known, the Commissioners refused to take them to the King, declaring that, for the mere repetition of such a proposal, they should lose their heads; and another account states, that the individual who did deliver the message, had his mouth cut from ear to ear for his temerity: so great appears to be the anxiety formerly said to be evinced by the Burman Monarch for an amicable settlement of this quarrel. The 'Bombay Gazette' of December 7, says:

By the brig *Bucephalus*, which arrived at Madras on the 23d of November from Rangoon, accounts have been received of hostilities having recommenced, in consequence of a refusal from the King of Ava to treat on our terms, or that the Keewoongy had declined so dangerous an undertaking as the presenting them to his Majesty. Two thousand men, under Lieutenant Colonel Pepper, were to move on toward Tongo immediately after the monsoon. The 87th had arrived, and were to march up forthwith. We regret to state that, by the same conveyance, the death of Captain Alexander, R.N., has been announced.

In the 'Madras Gazette' of the 26th, it is stated, that a smart engagement had taken place on the day which terminated the armistice, between the Burmese and a party of the royals, in which two or three of our men were killed, and some wounded.

A letter from Sandowey, on the Arracan river, dated in October, states, that "a force of 15,000 Burmese is within four days' march of Fort Hayes, at Sandowey, where there are not more than 330 men

to oppose them. But having a fleet of well-appointed gun-boats to assist, and being well stockaded, no fear is entertained."

A sumptuous banquet had been given to Sir C. Colville, on his departure from Poona, by the gentlemen of the Society of the Deccan, which was attended by nearly two hundred persons assembled from the different stations. An entertainment and address had also been voted to Archdeacon Barnes on his departure for England; on which occasion the clergy of the archdeaconry resolved to present this gentleman with a piece of plate, value 100 guineas.

Amidst these scenes of festivity and satisfaction, as if to show that unmixed happiness is not to be found in any quarter, certain interruptions to the peace, order, and good-will of society had taken place, and that, too, without being fomented by the aid of a free press, to which it has hitherto been the fashion to attribute all such evils. We give the account of the transaction to which we allude, in the words of the letter which conveys the information:

You will have heard of Mr. Browne, the Attorney, having, some time ago, threatened to horsewhip Mr. Norton, the Advocate-General, for having abused him, and afterwards refused to go out with him; and Mr. Graham has just now actually horsewhipped Mr. Irwin, the Barrister, for having called him "a scoundrel" at the Petty Sessions, and afterwards refused to meet him. Mr. Norton swore (and had his affidavit filed in Court) that Browne threatened him as above; and I suppose Mr. Irwin will also verify his horsewhipping upon oath, backed, perhaps, by his friend Mr. Warden, who witnessed it, and with whom Mr. Irwin was playing billiards when it happened. But what an insult this to the dignity, or rather I should say, to the *majesty*, of a Member in Council; for Mr. Irwin and Mr. Norton very gravely contended in the Supreme Court, a few days ago, that the East India Company was a sovereign power! I suppose we shall soon have a 'Rule, Ordinance, and Regulation here, to restrain the liberty of the horsewhip.'

We turn from this subject to one of much greater importance, the continued vigilance exercised by Sir Edward West, the Chief Justice at Bombay, in watching over the great interests committed to his care. Our readers will find, in another part of our publication, his elaborate and able Charge to the Grand Jury of Bombay, on the subject of Police at that island; wherein he furnishes abundant reason to deplore its defective state, and to admire his industry and zeal, both in pointing out the errors of the present system, and in suggesting their reform. We are glad to find the labours of this upright and independent Judge praised as they deserve to be in a Calcutta paper, the 'Columbian Press Gazette,' which we are proud to see treading in the path pursued by the late 'Calcutta Journal,' as far as the present restrictions on the Indian press will admit, and doing its duty towards the best interests of the country in which it circulates. For the sake of making that paper known as it deserves to be in this country, and of assisting also to spread more widely the just tribute which it pays to fearless virtue in a British Judge, we transcribe its remarks with great satisfaction in the task:

There have been many occasions since the commencement of our edi-

torial career, brief as the elapsed period is, in which we have had cause to regret the narrow limits to which we are confined; but on no one of these have we felt this more seriously, than in the case of the charge of the Chief Justice of Bombay to the Grand Jury there, on the subject of the administration of justice in the Courts of Request, and Quarter Sessions, and by the Police Magistrates of that place,—a document which our space will not admit of our laying before our readers, without dividing it into several parts, which would destroy the interest, in a paper published like ours, only twice a-week. All we can do, therefore, is briefly to advert to the contents of this charge, which reflects the highest honour on the learned Judge who delivered it, not for its eloquence, (for that is evidently not aimed at,) but for the subject-matter of it: it is directed to restrain and correct the abuses, and prevent the illegal and unmerciful exercise of arbitrary power, and to assert and maintain the due authority of the Supreme Court to protect the subject against such invasions of his most sacred rights. In this country, where, from the remoteness of all check over the actions of men in power, and the absence of the salutary control of the press in particular, there is a constant tendency to abuse it, and, in general, a union of all who possess it to support each other in their arbitrary and unconstitutional conduct, it must be refreshing to the soul of every Briton, whose love of liberty and veneration for the institutions of his country, which secure it to him when there, has not given way to that servility, which a dependence on the nod of power engenders, to behold a British Judge untainted by the atmosphere of corruption by which he is surrounded, rising up in the solemn tribunal over which he presides, and after laying open the abuses and oppressions practised with impunity for years past, announcing his determination to employ that power intrusted to him, as the representative of Majesty in the administration of justice, in vindication of the violated rights of his subjects in this remote quarter of the world, and as an engine to root out and destroy the arbitrary system, which he has exposed to the indignation of mankind.

His Lordship, after calling the attention of the Court to the origin, constitution, and powers of the Petty Court, proceeds to notice the actual proceedings of that Court; and they display a series of arbitrary and illegal measures in the infliction of punishment, which fully serve to show that the investigation of the subject was imperiously called for. It appears from these records, that imprisonment, fine, banishment, and flogging, were inflicted in the Court alluded to, almost *ad libitum*, according to the discretion of the Justices, without reference to the enactments of the law. Can a British Judge devote his time to any pursuit more honourable to him, than to the investigation of such a system of oppression? Surely not; and we think it would be well for British India, could a great many such Judges be distributed over the Mofussil, with power to examine into the records of our Zillah Courts.

The learned Judge next proceeds to consider the powers of the Police Magistrates and their actual proceedings; but the portion of his charge given in yesterday's 'Hurkaru,' which is all we have seen of it, does not bring us to his observations on this subject; and we must therefore defer till our next any particular reference to them, should they seem to us to require it.

In the mean time we cannot refrain from expressing our hope, that our Judges on this side of India may be induced to follow the honourable example of their brother of Bombay. We must, however, add, in justice to our worthy magistrates, that we do not think that any examination into their actual proceedings, would bring to light many instances of oppression and illegal punishment of the Natives; on the contrary, we think that the mea-

tures of our police, of late years, will exhibit a leaning so much the other way, as to call for an amendment in the system of a directly opposite nature to that which seems to be required at Bombay. Still, however, the inquiry, and the assumption by the Supreme Court of authority over our administrators of municipal justice, with which it is by law invested, would be beneficial—it would serve to rouse the magistrates from that state of apathy and indifference which, we are sorry to say, has hitherto rendered every appeal of the press vain, and it might lead to a closer attention to the duties of the office, than is, we fear, now bestowed on them; it is a notorious fact, that the magistrates at our police do not attend (unless there has been some very recent improvement in that particular of which we are uninformed) their office till past noon; we have heard, indeed, till one o'clock; and they quit it again, in general, by four, so that at the utmost, three hours only per day are devoted to the duties of the magistracy. Is this—can it be sufficient in a metropolis like this for the effectual performance of them? We think not, and we are borne out by facts in the conclusion. There is not a worse regulated police in India than that of Calcutta. Let those who doubt it, travel up the Bow Bazar in the evening, so close to the police office, and they will have some evidence of the fact; but let them also turn over the files of Calcutta papers for the last five years, and see the complaints daily poured forth on the subject. Here are whole classes of the lower orders, whose services are indispensable to the community, liable on the one hand to fraud and imposition themselves, and constantly practising it on their superiors with perfect impunity on the other, we mean the boatmen and bearers; then again there are constant instances of indecency on the part of the Natives in the public streets, which are suffered unmolested; we have now a letter from an "Eye Witness" on this subject, describing one of these disgusting exhibitions on the part of a Fakeer, in one of the most crowded thoroughfares of the town, which was quietly suffered by the Chowkeydars, and tumultuously applauded by crowds of the other Natives.

All these evils, we think, would be remedied by a strict inquiry into the proceedings of the inferior Courts at the Presidency, and an indication on the part of the HIGHEST to watch over them with vigilance in future. The Editor of the 'Hurkaru,' whose able remarks of Saturday on Sir Edward West's Charge will be found in another page, observes, in yesterday's paper, that it is difficult to procure a copy even of the By-laws and Regulations of the Police. Surely, this is a state of things which it is a reproach to the community to endure; and if the Editor of the 'Hurkaru,' whose ability for the task must certainly surpass that of most men here, except those who, like him, are of the legal profession, could obtain a copy of these Regulations, and had leisure to offer such observations upon them as his professional acquirements and his sterling English feelings prompted, he would, by performing this task, confer a most essential benefit on society at large; and if he can command the time, we are certain that he will derive a real gratification from such an employment of it.

We cannot close this subject, however, without adverting to the presentment of the Grand Jury, by which the charge of Sir Edward West was succeeded: we must say that we really think it a disgrace to those who drew it up and formed the majority by which it was voted, for we cannot suppose it possible that the jury were unanimous in approving its sentiments and language. They see no reason, it seems, to lessen either the frequency or the severity of arbitrary flogging; nor any change in the weapon with which it is inflicted. In short, however shocking the scenes of lacerating the human form may be to those gen-

plemen not accustomed to such sights, they think people may soon be accustomed to them: and then all objection will be removed. If the press of Bombay had done its duty when this presentment was published, it would have lashed the framers of it with that severity of intellectual censure, which such passionate fondness for corporeal punishments truly deserves. Well, indeed, may the rulers of India desire to fetter the exercise of public opinion.

#### JAVA.

Accounts from Java have been received to the 4th of December. They give the most melancholy details of the situation of that rich but unhappy settlement. The insurgents were in possession of the whole of the eastern side of the island, and had committed great excesses; they had destroyed the villages of Packalanga and Indermago entirely, and incendiaries had been sent from the camp into Samarang, who had set fire to the town in several places. One rich China merchant lost 20,000 pekuls of coffee in one conflagration. The letters represent the Dutch troops as so weakened by continual services, that they are now entirely confined to strong and fortified places; and as the Government in Holland send only 500 or 600 men at a time, they are cut off by the natives, or reduced by the climate and fatigue so much, that each of the reinforcements has to commence the warfare anew.

#### CAPE OF GOOD HOPE.

Accounts from the Cape of Good Hope reach down to the 8th of February. The *Rainbow*, with the Lieutenant-Governor, had not arrived at that date. It appears, his Excellency, Lord Charles Somerset, is now as anxious to return to England as he was previously slow in complying with the orders from the Ministers of the Crown. He would no longer wait for the *Rainbow*, but ordered the *Samarang* frigate, on the coast, to prepare for conveying him to England. His Excellency was using, according to report, every means to get up addresses respecting the sorrow of the inhabitants on the prospect of losing so good a Governor, and other testimonials as to character, of which his Excellency appears to be rather deficient. However, the colonists (because, his enemies assert, they are anxious to get quit of him) were in many instances signing these papers. It was reported at the Cape, that the Governor's salary would be reduced from 10,000*l.* per annum to 7,000*l.*; but that it should be no saving to the colony, the Ministers were creating other sinecures to the amount of the saving.

Two weekly newspapers have been suppressed by the orders of his Excellency the Governor. The New Council also makes a stir respecting the liberty of the press. Mr. Greig has been summoned before this tribunal, and admonished as to his political writings, with a hint of further consequences if he continues the attacks upon his Excellency and the Government of the Cape.

The Committee of Merchants trading to the Cape of Good Hope announce, that a direct communication from the Treasury states,

that his Majesty's Ministers have come to the determination to make no alteration in the measures respecting the circulating medium of the Cape of Good Hope.

The following letter, dated Cape Town, January 26, will give some idea of the condition of this colony.

The state of things here is truly dreadful, owing to the stagnant state of the wine-trade, the alteration of the currency, and the consequent withdrawal of so much paper from circulation, the impossibility of collecting in debts, and from the indisposition of people to part with rix-dollars: these causes operate so strongly and universally, that an almost general distress may be said to prevail.

The much expected arrival of the Lieutenant-Governor has been so long delayed, that most persons think he will never arrive.

Dr. Philips, of the Missionary Society, so cruelly aspersed by the Governor, sails to-morrow, in the *Coromandel*: he is returning to England by desire of that Society, to vindicate his character in the affair of Captain Taylor, and the poor settler Harden; also to represent to the English Government the state of slavery in this colony, and excite, if possible, their sympathies in behalf of suffering humanity in this portion of the globe.

The Governor's departure would seem to be near at hand, but none really believe that that desirable event will ever take place. Mr. Fairburn's journal, suppressed last week, was called *The New Organ*; since which a placard has been exhibited to this effect—'For sale, a New Organ, with a patent Somerset Stop!'

A meeting takes place this day, about our wine trade, his Excellency in the chair. He takes this step, it is believed, to prevent men speaking their minds too freely as to the origin of the real cause of our distress.

#### INCIDENTS AND EVENTS IN EUROPE CONNECTED WITH THE EASTERN WORLD.

NOTHING of particular interest has transpired in Parliament since our last, if we except the passing of the Indian Jury Bill, on which we offered our sentiments in a preceding Number. The Debate at the India House will be found reported in another part of our publication; and the opinions expressed by the conductors of the public press in England on the subject, we shall append in the way of extract to the Debate itself.

The great subject which has agitated all parties connected with India in this country, for the last three months, has been the election of the new Directors for the East India Company. The contest was remarkable for the zeal exercised by the old Directors, to get in men of their own stamp, to the exclusion of others, not answering the description of persons they wish to see added to their body. Some very able letters, particularly those signed 'Expositor' and 'Scrutator,' on the indecency of this combined influence of the Directors to promote the success of their own minions, appeared in the Daily Papers, where, however, so slight is the interest taken in Indian affairs, that they would only find insertion by being largely paid for

as advertisements, and even then, it was deemed a matter of especial favour with some of the Papers to give them a place at all. The number of persons who crowded the balloting room at the India House, was greater than on any recent occasion; and though the urns or jars, in which the balloting tickets are deposited, (strangely enough called *glasses*,) were delivered to the scrutineers at six in the evening, the result of their contents was not ascertained until the following morning, the whole night being passed by the scrutineers in counting and allotting them to the separate Candidates. Mr. Stuart and Mr. Tucker were the successful candidates; but Major Carnac came so near the latter, that it is thought certain he will come in without opposition, on the next ensuing vacancy. The number of votes obtained by the several Candidates in the field were as follows:—

James Pattison, Esq. ....	1736
John Locke, Esq. ....	1646
James Stuart, Esq. ....	1442
Charles Mills, Esq. ....	1379
John Bebb, Esq. ....	1306
Henry St. George Tucker, Esq. ....	1075
Major James Rivett Carnac, ....	1054
Charles Mackinnon, Esq. ....	697
Lieut.-Colonel Sir William Young, Bart. ..	618

Mr. Mackinnon and Sir Wm. Young still continue their canvass: and Col. Lushington, Mr. Gahagan, and Mr. Fergusson have each announced their intention of becoming candidates for a seat in the Direction. The first of these gentlemen is, we hear, still a Colonel in the Company's service, and receiving the emoluments of his rank, a circumstance which, we should conceive, would disqualify him for a Director; as Sir John Malcolm is said to have not long since expressed his intention to start for this great prize, and found, on inquiry, that his having a regiment and receiving a pension, disqualified him from holding a seat in the Direction. Colonel Lushington has also issued some testimonials of service, as pretensions to public favour, which we shall examine more in detail when the proper time arrives. Mr. Gahagan is an East India Proprietor, who has taken an active part in all the proceedings of the Court for some years past, and is therefore better known to those whose votes he will solicit. Mr. Fergusson's claims and pretensions remain to be discussed, when they are put forth, which will not be perhaps for some time to come, if the mere announcement, indeed, be not rather meant to serve the purposes of facilitating his election for parliament, than with any other view. That he has sufficient knowledge of India and its interests, no one can doubt; but how he will apply this knowledge, remains to be seen. If he could defend the seizure and imprisonment of Mr. Arnot, *because* he held the post of Advocate General at the time, and no other reason has ever been assigned: then we can have no doubt but that he will advocate the continuance of the Indian monopoly, *because* he is a Director; and for the same reason uphold all that he may deem the interests of the body to which he belongs, in opposition to the higher interests of his country and mankind.



We say this, without meaning to impute to the private and personal characters of the individuals spoken of, anything not to be found in almost all the "honourable men" of the present age. We believe the Directors of the India Company, and the Candidates for that honour, to be generally men of unimpeachable private worth: we know nothing to the contrary of this, in the characters of the most bigotted advocates of all that is tyrannical and detestable. Mr. Astell, Mr. Impey, Sir John Sewell, and Mr. Pondyner, the great eulogizers of despotism at the India House, are no doubt good husbands, good fathers, and warm friends; but as we can feel the utmost abhorrence of the doctrines which they publicly maintain, without thereby supposing them to be destitute of the usual private or social good qualities; so we can denounce, as severely, the hollow, and, we must add, hypocritical pretensions of the public men canvassing for support on public grounds, in the firm belief that they, like most others of their age and generation, will not only sanction, but perform, in their public capacity as members of an irresponsible body, acts of which they would be utterly ashamed in their private and individual capacity. The prevalence of this fallacious distinction (for, after all, it is nothing better than a fallacy) is so general, as to be a subject of deep regret with all who desire to see the reign of justice more extended. But this, we must say, that the nearer individuals can approach to that uniformity of conduct, which shall make them shrink from approving anything in public life which they would condemn in private, the more they will deserve the title of just and honourable men.

#### DEBATE AT THE EAST INDIA HOUSE.

*East India House, April 7.*

THIS day a special Court of Proprietors was held.

The Minutes of the proceedings of the last Court having been read—

The CHAIRMAN informed the Court, that it was made special in pursuance of the following requisition:—

London, March 18, 1826.

To the Honourable the Court of Directors of the East India Company:

Hon. Sirs,—We, the undersigned Proprietors of East India Stock, duly qualified, request that you will be pleased to call an early Special General Court of Proprietors, at which it is our intention to submit the following motion:—

"That the severe loss of property sustained by Mr. Buckingham, in consequence of the measures of the Bengal Government subsequently to his departure from India, having involved him in pecuniary difficulties, which it could never have been within the contemplation of the public authorities to occasion, and against which no human foresight on his part could have provided, and these difficulties having been greatly augmented by the obstacles which prevented him from returning to Calcutta for a short period to wind up his affairs; the Proprietors of East India Stock, animated solely by a desire to relieve that gentleman from the embarrassment in which he is now unhappily plunged, earnestly recommend to their hon. Directors, that there be granted to Mr. Buckingham, from the funds of the Company, for the purpose of assisting him to surmount his present difficulties, the sum of 5000*l.* sterling, being not more than one-eighth part of the estimated loss of actual property occasioned by the proceedings adverted to; assuring the hon. Directors that they will meet with the cordial support of

this Court in helping to repair misfortunes and alleviate sufferings, no doubt unwillingly witnessed, and unintentionally inflicted."

We have the honour to be,  
Honourable Sirs, your most obedient humble servants,  
JOSEPH HUME, DOUGLAS KINNAIRD,  
HENRY GAHAGAN, CHARLES FORBES,  
JOHN WILKS, J. DOYLE,  
C. J. DOYLE, H. STRACHEY,  
W. MAXFIELD.

JOSEPH DART, Sec.

Mr. D. KINNAIRD then rose and spoke as follows:—In submitting this motion to the Court, I feel myself relieved from the necessity of stating at any length the grounds upon which I hope it will receive the support of the Proprietors. The case has been already fully discussed in this Court. Those who heard me bring forward the case on a former occasion will, I think, give me credit for having endeavoured *bona fide* to establish it upon its own merits unconnected with any collateral question. For myself and my hon. Friends who support me, I can say that in advocating Mr. Buckingham's cause we have had no indirect object to gain, no indirect purpose to serve, and have desired to cast reflection in no quarter. If any intention of this kind be entertained by any persons, I for one disclaim it. I have no wish to connect the present question with any other, and shall confine myself strictly to following the course which I formerly pursued. The Company's servants who have the management of their affairs in India, considered it necessary for the good government of that empire to send this unfortunate gentleman from India, for pursuing what he (Mr. Buckingham) conceived to be a legitimate course of conduct. Mr. Buckingham having been sent from India, the question of his conduct there is at an end. I have nothing to do with it. I appeal to the Court on the ground, that after Mr. Buckingham's removal from India, his property has been made worse than nothing, by measures which certainly were not adopted with a view to his punishment, and were therefore unintentional, for it never could have been intended that Mr. Buckingham should be thus persecuted by the loss of his property. I acquit the Government of any intention to destroy Mr. Buckingham's property. If any person will undertake to say, that this was intended to form part of Mr. Buckingham's punishment, I will at once give up the appeal which I now make to the Court. I, however, state on the part of the Government—I make it the ground on which I stand—that the destruction of Mr. Buckingham's property was not intended by the Government as any portion of the punishment which they inflicted upon that gentleman, for what they conceived to be the evil manner in which he had conducted the press in India. I state this broadly on the part of the Government, and I defy contradiction. I contend, without meaning to reflect upon any body, that the loss of property which has happened to this unfortunate gentleman was an evil never intended by the Government to befall him. This gentleman possesses an unblemished character; he is pursuing a legitimate purpose in this country, by the success of which he must stand or fall; but whilst he is thus conducting himself, deprived of those resources which he had calculated upon as the foundation and sole support of his industrious exertions, instead of possessing a property in his paper in India, and his printing establishment there, he is deprived of all, and involved in debt also, and all this by the measures of Government, who declared that so long as Mr. Buckingham had any property in the paper or types, a license should not be granted for its publication. The result was, the property of the paper was transferred from Mr. Buckingham to other persons, without that gentleman receiving any compensation for what might be called the good-will of it. I state this, without meaning to cast reflection upon any one, as the ground of my motion. The motion touches on no collateral question; it simply states the case as I have put it; and if any person wishes to confine it more strictly to an act of generous compassion, I am perfectly willing to adopt his suggestions. I have laid before the Court, as succinctly as possible, the grounds on which this unfortunate gentleman appeals to a body of his fellow

countrymen, the members of the most opulent Company in the world. Before I sit down, I ought to state that I am provided with a requisition, signed by nine Proprietors, praying that the opinions of the Proprietors at large may be taken on this question. As an occasion will soon occur when a larger number of Proprietors will be in town than probably will be the case for some time, I hope the ballot may be fixed for that period. The hon. Proprietor concluded with moving the following motion :

“ That the severe loss of property sustained by Mr. Buckingham, in consequence of the measures of the Bengal Government subsequently to his departure from India, having involved him in pecuniary difficulties, not within the contemplation of the public authorities to occasion, and augmented by the obstacles which prevented him from returning to Calcutta to wind up his affairs, the Proprietors of East India Stock, animated solely by a desire to relieve him from his embarrassments, earnestly recommend to their honourable Directors that there be granted to Mr. Buckingham, from the funds of the Company, in order to assist him to surmount his present difficulties, the sum of 5000*l.*, assuring the honourable Directors that they will meet with the cordial support of this Court, in helping to repair misfortunes and alleviate sufferings no doubt unwillingly witnessed and unintentionally inflicted.

MR. HUME.—I rise to second the motion, in the hope that the appeal now made to the humanity, consideration, and justice of the Proprietors will be successful. I do not recollect any occasion on which an application on the part of any individual has been supported on such strong grounds of justice and reason, as this claim on behalf of Mr. Buckingham. It would not be proper, as my hon. Friend justly observed, to discuss, on the present occasion, the grounds on which Mr. Buckingham's removal from India originally took place. The offence for which the Government ordered him to be removed, was, in the opinion of every candid man, sufficiently expiated by his transmission from India. That being the case, I submit to the Court, that there never was an occasion when a stronger case came before them, calling upon them to relieve the misfortunes of an individual who has been utterly ruined, after having made the most meritorious efforts to obtain an independency. Under these circumstances, after the numerous appeals which have been made to the Court, I cannot conceive that the Proprietors of this Company, a body of wealthy and independent men, celebrated for the liberality of their transactions, will fail to give a favourable consideration to the case of an individual who has been ruined by no immediate fault of his own, but by the acts of your servants in India. I have seen some very sensible observations on Mr. Buckingham's case, by the Editor of a provincial paper. The writer, after giving an account of the proceedings in India, says: “ The suppression of the ‘ Calcutta Journal ’ is the first instance in the page of English history, of an English newspaper being put down by the act of Government.” The Proprietors are now called upon to exercise the inestimable privilege they possess, by granting to Mr. Buckingham only one-eighth part of the loss which he has sustained. This appeal to the generosity of the Proprietors is made in the fairest manner possible, by not being confined to the few who are assembled here, but to the body at large, who all know the merits of the case, and can come prepared to give an unbiassed decision upon it when the proper time shall arrive. I hope that no person will mix the present question up with any other from which it is distinct. The question of the freedom of the press is in no way connected with the present question, which was entirely one of compensation for the loss of property sustained whilst he was absent from the scene, and could not possibly have done any thing to deserve such a punishment. My confidence is strong that Mr. Buckingham's case will receive the support of the Proprietors when it comes to be decided by ballot. I have never, on any occasion, been anxious to vote away the public money, either here or elsewhere, without the strongest grounds for its necessity; and if I did not believe that the present claim was founded on justice, I would not support the motion. (*Hear, hear.*)

MR. POYNDER.—I can sincerely assure the Court, that there is no one

whom I have the honour to address, not excepting even the Mover and Seconder of this Resolution, who can more unfeignedly regret than myself the necessity of travelling over ground which has been trodden before, or of repeating arguments which have been already adduced. There seems, however, to be no choice for those who dissent from the motion now proposed, but to repeat their former objections; and so long as the friends of Mr. Buckingham shall esteem it their duty to obtrude upon us the consideration of his pretensions, so long must they be met with by a plain exposition of certain weighty facts, which, if they should happen to be unpalatable, they have only themselves to thank for eliciting. It is evident, from the technical caution, amounting to lawyer-like address, exhibited in the wording of the motion, that it is intended to preclude all reference to Mr. Buckingham's past misconduct, and to confine all argument upon the question within the narrow limits of that gentleman's history since he was expelled from India. I cannot, however, consent to be precluded, by the technical ability with which this motion has been prepared, from going into the former history of Mr. Buckingham, since it would be the height of injustice and inconsistency for any Proprietor to call upon this Court to vote 5000*l.* to an individual, and at the same time to deny to any other Proprietor the privilege of considering how far he had *deserved* it. (1) It seems, therefore, only due to the Proprietors at large, and to the Mover and Seconder in particular, that I should state in the outset, with all frankness and honesty, that it is necessary to the *purpose* of my argument to take a more extensive range than the *motion* would prescribe; (2) and that, however essential to their interests the friends of Mr. Buckingham may consider it, that we should only look at his conduct since his arrival in England, it appears to me that the interests of truth as imperatively require that we should not merely contemplate him since he has no longer possessed the power of doing mischief, (3) but that we should see how he conducted himself so long as that opportunity was afforded him. If so humble an individual as myself should succeed in showing that his behaviour, during the interval of probation, was at once discreditable to himself and injurious to the interests of India, it will, perhaps, be thought that the best reason will be afforded against complying with his present application. Under these circumstances, I feel myself under the necessity of giving a short history of Mr. Buckingham's career in India.

It will probably be known to most of the Proprietors, that in August 1812, the censorship, which had previously existed on the press in India, was removed, and that in its place the following Regulations were adopted by the Supreme Government.

[The learned Proprietor here went into a detail of these Regulations, and a repetition of all that has been already printed and published against Mr. Buckingham during the last three years; reading chiefly avowed extracts from the late Mr. Adam's Manifesto respecting Mr. Buckingham's removal from India, but cautiously avoiding all allusion to the replies which had been made to the several allegations of this Manifesto in the 'Oriental Herald.' As this recapitulation was as foreign to the subject of the motion as one of the books of Mr. Mill's 'History of India' would be, and as the only object of it must have been to occupy the time and weary the patience of the Court, we are surprised that some Proprietor, when he concluded, did not move "that all the statutes relating to India be now read," in order to elucidate whether Mr. Buckingham was not doing right in all the cases in which Mr. Poynder contended that he was doing wrong. It is from no desire to shrink from this question of the press that we abstain from repeating all the unnecessary repetitions of Mr. Poynder; but as we cannot repeat the replies already given

(1) It was not a question of reward for *deserts*, but compensation for *losses*.

(2) But in all well-regulated assemblies, the "motion" is the only standard by which the relevancy or irrelevancy of arguments can be judged, and not the "purpose" of the speaker.

(3) What! not even by circulating more "mischievous" doctrines in India now, than could ever be ventured on before?

to all that he read, we deem it more just to refer the reader to Nos. I. and II. of the 'Oriental Herald' for January 1824, where he will find *all* that Mr. Adam said in his Manifesto, and now read by Mr. Poynder, as well as *all* that Mr. Buckingham then said in reply; so that the bane and antidote will be both before him. We continue Mr. Poynder's speech from the portion at which he left off reading, and where he began to offer the Court opinions of his own, instead of those of Messrs. Adam, Spankie, and Bosanquet. After bringing the history of Mr. Buckingham's several applications to the public authorities for redress up to the last, which was rejected, Mr. Poynder continues:]

In these recorded decisions of the Court of Directors, the Court of Proprietors, the Board of Control for India, and the King in Council, I humbly apprehend that the present Court cannot refuse to concur, in justice to their own consistency,(4) and to their sense of what is due to the East India Proprietors, and of what is no less due to the public at large.(5) Certainly, if the most unwearied and obtrusive pertinacity on the part of Mr. Buckingham and his friends could have ensured success, they would have obtained it earlier; but the question for consideration to-day is, whether they deserve it at all? Although perseverance in a good cause is regarded as virtue, it can only be considered obstinacy in a bad one.(6) Lord Chesterfield observes in one of his Letters, that "a majority of 250 is a great anodyne"; but it seems as if no majority, and no succession of majorities, would prove an "anodyne" to the demands of the present claimant, or to the exertions of his friends. In the case of Mr. Buckingham and his adherents, the trumpet of retreat has only proved the signal of a fresh attack; and when the Proprietors have imagined their labour at an end, they have again and again been compelled, however reluctantly, to take the field afresh.(7) We have been told, forsooth, of the benefits which would be conferred by the general dissemination of all kinds of opinions in India;(8) and we are called upon to do Mr. Buckingham justice, as the intrepid assertor of the freedom of the press. It appears, however, to me, that of all the dreams in which speculative theorists have ever indulged, that of a free press in India is least to be justified.(9) It is not to be disguised that the form of government in India necessarily partakes *somewhat* of a despotic character, although that government has been *proved*, from long experience, to be the *most congenial to the feelings, character, and habits of the people*.(10) In such a state of things, a free press (especially in Mr. Buckingham's sense of freedom, which is but another word for licentiousness,) would have been found wholly incompatible with the condition of society, the interests of the governed, and the existence of the governors. A free government, like the British, glories in a free press, and, as an Englishman, I glory in that freedom; but the counteracting control incessantly offered here to the utmost latitude which the press can attain, both by the vigilance of our Parliament, the strength of the laws, and the influence of opinion, is found sufficient to repress the excesses and to prevent the evils which would be inevitable under a less favourable form of government.(11) The attempt, therefore, to assimilate the case of India to that of England, is absurd.(12) Is any man here prepared to contend, that the press should be

(4) That is—if wrong before, they must continue so still.

(5) Neither of whom are affected, in the slightest degree, by the issue.

(6) But whether this be a *good* or a *bad* cause, makes all the difference.

(7) In a good cause this is worthy of commendation.

(8) If one kind of opinions only be beneficial, who is to decide which is the right one? Not Mr. Poynder, surely!

(9) Other men think differently, and give *reasons* for their belief.

(10) This proof is, perhaps, to be found in the silence of men who dare not speak, and in the symptoms of hatred to our yoke, which, Sir John Malcolm says, are universal and unintermitting throughout all the country!

(11) It was said just before, that the Indian form of government was the *most* favourable that could be.

(12) To consider Mr. Poynder as possessing more knowledge on this subject than Burke, Hastings, or Mill, who all advocated this freedom, would be, however, more absurd still.

permitted to propagate all kinds of *inflammatory* opinions (13) in such a valuable part of our empire as India, and among a people so sensitive and irritable as its inhabitants? (14) As well might we expect that, in administering ardent spirits to the aboriginal inhabitants of America, no injurious effects would follow; or that, in illuminating a powder-mill, we should be likely to do so with impunity. No good man hazards experiments of this nature; and no wise man who has the power to prevent it, will permit them to be tried. (15) The very existence of the Indian Government is founded on the good opinion of its subjects, nor could it long survive the loss of that good opinion. (16) Let me not, however, be misunderstood, or be supposed desirous of impeding the progress of knowledge, or the extension of civilization. I am, on the contrary, an earnest friend to the enlightening, educating, and christianizing of our Indian empire; and they will do me no justice who suppose me either the advocate of ignorance in the people, or of irresponsible power in the Government. Let the Native population of India be taught or improved in every *rational* and *practical* way, but not poisoned by *bad politics*, (17) instructed to abhor their rulers, and rendered miserable by being told they are a degraded and ill-governed race. (18) It is not to their being instructed that we object, but to their being deluded; not to their falling into good hands, but to their becoming the tools of factious and desperate men, who will only use them for their own base purposes, and then leave them far less happy than they found them. (19) In proof of the remarks I have ventured to make on the impracticability of a free press in India, I would refer to the opinion of Mr. Adam, than whom no one was *better* qualified to form a judgment on such a subject.

[Here, again, Mr. Poynder proceeded to quote Mr. Adam's Manifesto, withholding, as before, the replies to it, which are equally public, and have been no doubt read by him. The truth is, no man was less qualified to give a correct opinion on this very subject than Mr. Adam, as the result has proved; and his best friends are even more ashamed of this production of his pen than Mr. Poynder seems to be aware, or he would never disturb the ashes of the dead with that which will never be mentioned but as a reproach to his memory. We pass over all the old and borrowed portions of the speech, to come to something of Mr. Poynder's own, not that even that is either new or original, however the speaker may imagine it to be so.]

I am aware, Sir, it has been said in defence of Mr. Buckingham—"Admitting that he was mistaken in applying to India the principles recognised with safety among ourselves, (20) still we are all liable to err;" but I contend, that his was not a mere error in judgment, but was neither more nor less than a selfish preference of his individual interests to those of the Natives

(13) What *one* man deems inflammatory, another considers perfectly harmless.

(14) If any proof of the speaker's ignorance of India and its people were needed, this is a very striking one, as all but himself will perceive.

(15) Then the best friends of mankind have been neither good nor wise.

(16) If our Government even then be the best possible Government, how could we lose that good opinion by merely permitting the people to express it?

(17) Of which, of course, Mr. Poynder is to be the sole judge.

(18) This people must be sensitive indeed, if merely *telling* them they are unhappy will immediately cause them to be really so.

(19) The Addresses from the English and Native population of India to Lord Hastings, after the press had been free for five years, all stated the country to be more flourishing and tranquil, and the people more happy at the close of this experiment, than they had ever been before it!

(20) It was not Mr. Buckingham who applied these principles, but Lord Hastings and his Government, who were the first to introduce and proclaim them. Mr. Buckingham merely acted on what they *professed*; and the blame, if any, should be given to the *authors* of the system, and not the followers of it.

(21) And whose interests does every man in India, from the Governor-General to the youngest writer, or every Proprietor of India stock, from the Chairman of the Court of Directors down even to Mr. Poynder himself, consider but *his own*

at large. (31) It was of no importance to him, provided he might be enriched by catering for the *distempered appetites of the multitude*, (22) how many might be impoverished. His object was to overthrow the existing Government, in order that he might rise out of its ruins. (23) It is impossible then he can plead ignorance of the danger to which he was subjecting the state which tolerated his continuance, for he rushed on in defiance of all salutary control, and in contempt of all friendly admonition. In vain did the Government of India plead, remonstrate, or threaten. He resolved to run a muck with all law and order; and, to advert to the language of Burke, he spared neither rank nor age; not the sanctuary of the tomb was sacred to him. "*Tros Tyrinove*" was inscribed on his banner, and in pursuance of this exterminating purpose, we find, in succession, the head of the Government, the Members of Council, the Secretaries of State, the bishop, the clergy, the juries, the army, the Civil Service, all becoming in their turn the objects of sarcasm and malevolence. (24) If it were possible, in the exercise of charity, to suppose that Mr. Buckingham had been the dupe of an honest error, however we might regret his absurdities, we should know how to pity and to allow for them; but will any man, who follows the detail I have given from undoubted authority, (25) contend that his was a mere Quixotic war upon windmills, to which insanity might have led, and not see that it was rather the result of cool calculation, and deliberate purpose, from which he permitted neither the threat of foes nor the council of friends to divert him. To advert, therefore, to a well-known maxim, "*scienti et volenti non fit injuria*," Mr. Buckingham contends, in his own defence, that he is the victim of persecution, and seeks to excite our sympathy as if his misfortunes were wholly unconnected with any acts of his own, while every part of his case proves that he alone was to blame. (26) The title of one of St. Chrysostom's Homilies applies with peculiar force in this instance, "*Nemo laeditur nisi a semet ipso*." If ever there was a case in which the strong arm of Government required to be put out, it was this; but if ever there was also one, in which that arm

----- its dart

Shook, but delay'd to strike, though oft invoked,"

this was the case. Never was greater time allowed for redemption, or the *locus penitentiae*, so often or so fruitlessly afforded. The motion, indeed, insists that Mr. Buckingham's misfortunes could not have been foreseen, but this assertion is contradicted by the whole of the preceding statement. We

at the expense of the Natives? Mr. Buckingham, however, did no such thing. His interests and those of the Natives were not opposite but coincident, and *their* good he always made his chief care.

(22) This multitude, it should be understood, were composed entirely of English gentlemen in the service of the very Government declared to be so excellent; for there are not ten Natives in all Bengal who read the English papers; and as to enriching, no man contributed a shilling to Mr. Buckingham's gains without his own free will and consent. How many men besides in India can say so much?

(23) This is really a flight higher than any of Mr. Buckingham's accusers have ever soared before.

(24) The best answer to all this tirade of exaggerated and unpardonable misstatement is, that during a period of five years, with every eye upon the minutest parts of his conduct, Mr. Buckingham was never once convicted of *libel*, and never paid a farthing damages to any living being, though the judges and juries, whom he is alleged to have insulted and libelled, were the very men by whom his crimes might have been punished with the utmost severity if any really had been committed.

(25) The authority has not only been doubted but disproved, and Mr. Poynder has himself heard the very authority he calls "undoubted," shown to be unworthy of credit, in the very Court in which he was then speaking.

(26) Mr. Poynder knows that the destruction of Mr. Buckingham's property, since he left India, could not be occasioned by any act of his own.

think it a wise maxim, that no man should be suffered to take advantage of his own wrong, and we require that the complainant should come before us with clean hands. (27) As it is, he has no *locus standi in judicio*. He is out of Court. When Mr. Buckingham, therefore, complains of his fate, we can only regard it as the inevitable result of his deliberate choice.

The plea of mercy has, however, been urged upon our attention, and no man who is conscious of his own need of mercy can be quite insensible to such a claim. (28) It was, however, an observation of Chief Justice Hale, who was never suspected of any deficiency in that particular: "When I am expected to show mercy to a prisoner, let me remember there is also a mercy due to the country." To display an undistinguishing mercy in such cases, at the expense and to the exclusion of justice, would be only to offer a premium to future crime, and to encourage other offenders to abuse their abilities to the injury of the public. To award compensation in this case, would be to make no distinction between the immutable principles of right and wrong, since you can do no more than reward faithful service and acknowledged merit. The precedent would be pernicious to the last degree, nor do I see, if this grant should be made, upon what principle you can afterwards refuse to send out Messrs. Hunt and Cobbett in the next fleet to India; or if they should happen to be smuggled out under false colours, among other contraband goods, how you can with any consistency refuse to vote them 5000*l*. a piece on their return, notwithstanding they might have been public libellers, and disturbers of the common repose. (29) Mr. Kinnaird has, indeed, asked whether the Court of Directors meant to inflict all the injury that has overtaken Mr. Buckingham; and he has declared, in somewhat of that triumphant tone, which supposes itself to have put an unanswerable question, that if any man can prove that the Court so meant to visit this case, he will abandon Mr. Buckingham's defence. Assuredly, in the sense of any vindictive meaning, I will venture to answer for the Court, as I would for every one of my brother Proprietors, that no such intentions were ever harboured for a moment; but I do not the less affirm, that if the necessary result of Mr. Buckingham's misconduct should involve him even in the most distressing consequences, there is no necessary or moral obligation imposed upon us to step between him and his necessities with the sum of 5000*l*., not only because there is nothing in his conduct to call for our interference, but because there is every thing in it to render our interposition unjustifiable and improper. There is no case more common in society than that of a particular punishment being found to extend, in its collateral and ultimate consequences, much beyond the guilt of the solitary individual on whom it was inflicted; nor is there perhaps a single instance in which the whole family of an offender are not necessarily involved, more or less, in the punishment intended for himself; in all which cases more injury must unavoidably be sustained than the judge desires or the law designed; but in no one of which compensation was ever dreamt of being solicited before, because the protection due to society, and its necessary security, would forbid all attention to the demand. (30)

Much, Sir, has been said of the talents of Mr. Buckingham, and I do not

(27) Would that every man's hands in the Court of Proprietors were as clean as those of Mr. Buckingham!

(28) The plea of mercy was not urged. There was no crime to forgive, and no offence for which mercy was needed.

(29) Mr. Buckingham has never *once* been convicted of libel against any man, though he has obtained four distinct verdicts against those who have libelled him, in India and in England.

(30) The necessary and unavoidable injuries to innocent parties were not asked to be redressed; but the destruction of the property of children, which was unnecessary and unavoidable, is sought to be repaired. When felons are transported from England, their property is not hunted out by Government after they are gone and destroyed. In Mr. Buckingham's case this was done, and, there-



dispute that he may possess a certain portion of extravasated talent, but I am not prepared to bow down before the idol of talent, when there is nothing better to recommend it; as believing that there is not a more dangerous or destructive thing upon earth than mere talent, without the check and control of some higher principle; and if this be true in reference to England, where there is so much on all sides to counteract its injurious tendency, how much more forcibly must the remark apply to India. I do not deny to Mr. Buckingham the facility ascribed by Burnet to a certain individual of his time, of whom he says, that "he would turn things very dexterously to make them look well or ill as it served his purpose;" but I confess, that the facility of "making the worse appear the better reason" has no charms for me, nor do I conceive that mere talent, unballasted by wisdom and virtue, (31) will possess any attraction for this Court. Mr. Hume will, I hope, excuse my entertaining no admiration for his London University, where so long as the pupils contrive to lay in a stock of learning they are left to pick up their religion as they can. With every respect for those sound and sober acquirements which make men useful and valuable members of society, I feel none for the politics of revolutionists, or the philosophy of infidels. (32) It will be well for this Court to consider whether, after the public decisions of the King in Council, and of the Board of Control, they can for a moment imagine that, in the event of their being disposed to favour the present application, there would be the remotest chance of their vote being followed by that confirmation of the grant, which must of necessity take place on the part of the Board of Control to give it any effect; a consideration, although of itself, it perhaps forms no insurmountable obstacle to the East India Proprietors, adopting the affirmative of this proposition, may yet be permitted to operate in the way of caution against their coming uselessly into collision with the higher authorities, and embroiling themselves in an unnecessary conflict. If the arguments, Sir, which I have had the honour to adduce, are thought to possess any claim to attention, it would follow not only that this application should never have been made at all, but that there is no little effrontery in its having been pressed upon us again and again; first, upon the high ground of right, when we were told by Mr. Kinnaird that we must do this act as a substantial measure of justice; and, secondly, upon the more modest ground of feeling; when lowering his top-sail of right, he hoisted the mizen of charity, and informed us that we ought no longer to refuse the claimant, because he now appeared in *forma pauperis*. It is true, that we have to-day been persuaded to a surrender upon the mixed plen of justice and equity, but I venture to assert fearlessly, that there is neither justice nor equity in the attempt; not justice, because the petitioner takes advantage of his own wrong, comes into Court without a character, (33) and has not the shadow of a right; not equity, because we are the guardians of a public trust, the stewards of a public purse; and I will add, up to a certain extent, the conservators of the public morals! We have heard, indeed, much from the Mover and Seconder of the opulence of the Company, and how little it would cost the Proprietors

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fore, he, an innocent man in the eye of the law, is treated worse than a convicted malefactor! And this, in Mr. Poynder's estimation, is strict justice!!

(31) Which is, of course, the sort of talent possessed by Mr. Poynder in his own estimation, and not the kind possessed by Mr. Buckingham in the opinion of his accuser.

(32) It is really a disgrace to the Court that the Chairman should have suffered such unprovoked and wholly unwarrantable insinuations as these to proceed, because they came from one of the advocates of the Directors, who silently acquiesced in this trampling on the fallen. But for considerations not now to be explained, and pledges too sacred to be broken, even by insinuations like these, Mr. Poynder's tongue would have been stopped in its career by one indignant hearer at least. But the general disgust felt at his speech, was sufficiently visible to be mortifying no doubt even to himself.

(33) The utterer of this assertion is far more destitute of one to make it.

individually to raise the required contribution ; my objection, however, is not so much to the amount that is proposed, as to the principle that is involved, since it is from an imperative sense of duty alone that I feel compelled to oppose the grant altogether, under a conviction that no claim whatever has been established, in a case where every exertion has been used to persuade the people in India that they were the victims of a standing abuse ; that the army was improperly officered, the church unworthily governed, the civil service unfaithfully administered, and the entire system of Government one scene of intrigue, injustice, and oppression, from the highest member of the state to the meanest agent in its employ. (34) (*Hear, hear.*)

Mr. J. SMITH.—I am anxious to state the reasons which lead me to support the motion that has been submitted to the Court. I am ready to bear testimony to the eloquence and ability of the hon. Proprietor who has just sat down ; but his speech, so long and so able, has not changed my view of the subject. It appears to me, quite distinctly, that the hon. Proprietor has not taken that view of the question which was included in and intended by the motion. It was not, I apprehend, the intention of my hon. Friend who submitted the motion, to vindicate the conduct of Mr. Buckingham throughout the long course of transactions to which the hon. Proprietor has alluded. (35) The object of my hon. Friend was, I conceive, to show that the punishment inflicted on Mr. Buckingham has been by no means commensurate with his offence. References to all the authorities on earth—the Board of Control, on the decisions of this Court assembled twelve times over, never can convince me that it is fair or right that an individual should receive a degree of punishment greatly beyond that which was intended to be inflicted on him. (*Hear.*) Why the hon. Proprietor should expect us to be so extremely unforgiving on the present occasion I cannot understand. I can recollect instances, in former times, of individuals who had most grossly and shamefully neglected their duty, committed the most grievous offences, being sent home to England, but permitted to carry with them the gains of their perfidy and guilt, instead of being reduced, like the unfortunate gentleman whose case has been brought under our consideration, to hopeless penury. (*Hear, hear.*) With respect to a variety of the allegations which the hon. Proprietor has, with considerable force and talent, urged against Mr. Buckingham, they are liable to an observation which must place the hon. Proprietor in a situation of some difficulty. It appears, that notwithstanding the various offences which the hon. Proprietor says, that Mr. Buckingham committed, the Governor-General, although highly dissatisfied with his conduct, did not send him from India. (*Hear.*) In this, Lord Hastings perhaps acted in opposition to the sentiments of other Members of Council ; but, be that as it may, he was not so much dissatisfied with Mr. Buckingham as to send him from India. To return to the question immediately before the Court, I am inclined to support the motion, both upon the general principles of justice, and the usage of the Company. Gentlemen will permit me to remind them that libels of a very gross character have been published in this country in the course of the last twenty years, libels of a most dangerous description, and which the Attorney-General has felt it his duty to prosecute ; but what was the course of proceeding in this country ? The libeller was not pursued to destruction. On the contrary, I appeal to the knowledge of every gentleman present, that the Judge, in passing sentence, takes into consideration the amount of the offender's property. He does not sentence an individual who is not worth 500*l.* to pay a fine of 10,000*l.* ; thereby condemning him to hopeless imprisonment. The decrees of our Judges are tempered by mercy and common sense. (*Hear.*) I

(34) There is but one epithet to apply to all this. Mr. Poynder may *conceive* it if he chooses. All other men will know how to apply it ; and thus we consign this tissue of misrepresentation to the contempt it so justly merits.

(35) That vindication had been successfully made on three former occasions, and was therefore unnecessary now. The hon. Proprietor was perfectly correct, however, in endeavouring to draw the Court back to what was really the motion before it.

apprehend that Mr. Buckingham was exceedingly indiscreet in his conduct; but, after all, it is tinged by some shades which, if fairly and candidly examined, might entitle him to indulgence. At all events, is it just that the whole of his property should be confiscated? I very much wonder at the proceeding by which this was effected. It might have happened that the property in India belonged to Mr. Buckingham's wife, or his children, or to me, or my hon. Friend, or any body else. It is hardly consistent with the nature of justice to adopt any proceedings which must have the effect of destroying property, without first inquiring to whom it belonged. (*Hear.*) The hon. Proprietor made an allusion, not quite in the spirit of candour, to Cobbett and Hunt. It was hardly fair to make that species of comparison. There is nothing in the writings or character of Mr. Buckingham which can justify it. On the contrary, he is a gentleman of fair reputation, and possesses considerable talent and acquirements. I certainly have my suspicion that Mr. Buckingham's conduct has not been so bad as is represented, and that those acquainted with Indian history might remove the gloss which has been thrown over it. The conduct of Lord Hastings, I think, proves this. In any view of the question, the destruction of Mr. Buckingham's property and means is a punishment utterly incommensurate with his offence. I support the motion for the reason given by the hon. Proprietor who spoke last, namely, that justice is eternal, and because I think, that in common sense and fairness, it is wrong to punish with too much severity—with a severity unheard of, and to which I defy any man to produce a parallel. Notwithstanding all that has been said by the hon. Proprietor; notwithstanding the resolutions of the Government and the Board of Control; I feel firmly persuaded, that the Proprietors of this Company will, on this occasion, follow those sentiments and feelings which it has been justly said belong to them as a sort of property, and make Mr. Buckingham some small reparation for the injury which he has sustained. (*Hear, hear, hear.*)

Sir J. SEWELL.—It appears to me that no fine was imposed on Mr. Buckingham; and that not one farthing of property was taken from him by a despotic act, is quite clear. (36) Mr. Buckingham became dangerous to the tranquillity of the Government, (37) and they exercised the power which they possessed, by sending him away. There is nothing extraordinary in this. (38) If a person who goes to reside in India under a license from the Government, by his conduct forfeits his *right* to remain, the Government does right in sending such a dangerous person out of the country. (39) I

(36) It is *not* quite clear; on the contrary, the whole matter in contention has always been, that the whole property *was* taken from him by despotic acts.

(37) This is untrue. At the very period at which Mr. Buckingham quitted India, in the beginning of 1823, the whole country was confessedly more tranquil than it had been for years before, or than it has been ever since; and not a month before Mr. Buckingham embarked, this was admitted in addresses to Lord Hastings, sent from every part of the country, by Natives and English, praising his measures, (among which the freedom of the press was one of the principal,) as having promoted the very tranquillity which Sir John Sewell asserts to have been at the same time endangered.

(38) Even this is extraordinary, as no such thing had been done in the whole of Lord Hastings's administration. But *this* was not now the evil complained of; it was the destruction of property long *after* that event, for which compensation was demanded.

(39) Here are two false assumptions uttered in one breath: 1st The *right* to remain can only be forfeited by transgressing some regulation having the force of law. Now, no such regulation was transgressed; for the warnings supposed to have been given were not laws, nor were even the rules for the press, (though these were not infringed,) for these were not made laws till *after* Mr. Buckingham was banished for his supposed disregard of them. 2dly. That he was not a *dangerous* person in Lord Hastings's opinion, is best proved by the fact of his not being sent away during his administration; and that he was not the real cause of the *very danger* supposed to exist, even in Mr. Adam's opinion, is also undeniable; because, if he had been, then his removal from India would have

think there can be no doubt, from all that has been said in this Court, and even what Mr. Buckingham has himself written, that his object was to establish a popular paper in India; (40) and in order to make his paper popular, and to obtain customers, he was not very scrupulous of the means he made use of. (41) The consequence was, as his friends said, that in the course of five years he raised the sale of the paper to such an extent, that it produced an income of 2000*l.* a year. (42) It is evident that a paper of such great circulation might, if it were good, be productive of great advantage; whilst, if it were bad, it must produce the most mischievous effects. If the paper was bad, it must necessarily work evil, and it became the duty of the Indian Government to suppress it by all legal means. (43) I observe that, in the printed papers, great stress is laid on the circumstance of the injury stated to be sustained by the hundred innocent co-proprietors of Mr. Buckingham's paper. I beg leave to call the attention of the Court to what I conceive to be the reason why these hundred persons were taken into co-proprietorship. It could not be because Mr. Buckingham was unable to manage the pecuniary affairs of the paper; that fact would have been inconsistent with the great sale of the paper, which had enabled him to pay off the debts which he owed when he went to India, and set up a printing establishment which cost 20,000*l.* It could not, therefore, be that Mr. Buckingham was at a loss for pecuniary means to conduct his paper. I take it for granted, also, that Mr. Buckingham had had too much experience of the world to make a sacrifice of 36*l.* per cent. on his capital, merely in order to have honourable names associated with his own. (44) The very circumstance of

removed the danger. But he was no sooner gone, than the evil grew worse; and the Government then discovered that the evil was in the system, (which was their own,) and not in the individual; so that they were obliged to put *all* the presses, and not merely Mr. Buckingham's, under a license to restrain them.

(40) This object was already attained, as the popularity of the journal was at its height before Lord Hastings resigned his administration.

(41) The 'John Bull,' which was so much less scrupulous as to be convicted of libel, characterized by the Judge as "too atrocious to be thought of without horror," had not half so many readers; while the 'Journal' was never once convicted of any libel under Mr. Buckingham's management.

(42) In general, extensive sale is proof, at least, of extensive public sympathy; and as the sale of the 'Journal' was confined exclusively to English gentlemen of talent and education, members of the very Government whose acts were commented on, such successful sale must be considered honourable to the character of the writings that distinguished it.

(43) This argument applies to all human good, to the air we breathe, to religion, in short, to every thing essential to man. It is begging the whole question to say, that, *being bad*, it did greater evil by its extensive circulation. The advocates of the 'Journal' reply, that, *being good*, its benefits were extended by its sale. The whole merits lie in this disputed point; and Sir John Sewell is not the oracle whose decision on it will be taken as conclusive.

(44) Mr. Buckingham did not want to gain *money* by this association, but to give a greater degree of moral interest and influence to his paper, by the union of worthy and honourable men, most of whom felt and thought like himself. If Sir John Sewell thinks that money-getting is the *only* object of those who write or speak on public affairs, whether in India or here, (and, judging from the absurd things which he ventures to utter, one should think that nothing but gain, in some shape, could induce him so to risk his reputation,) he may well wonder at a person sacrificing 36 per cent. merely for an honourable name or two. But he is himself but a poor "man of the world," after all, not to see that even *twice* 36 per cent. would have been no inducement with a mere money-getter; for, as the result has proved, it was a losing concern, the parties having been paid only 18 per cent. of their advances, in two quarterly payments of 9 per cent. each, and then losing principal and interest of the whole for ever! This is the blessing of living under a despotism. The bankers at Hyderabad are accused of extravagant usury for asking 24 per cent. interest on money lent. But at Calcutta, any man lending money to an editor, or purchasing a share of the most

Mr. Buckingham having a hundred co-proprietors, must, in my opinion, have been an additional cause of alarm to the Government.(45) It is admitted that Mr. Buckingham grossly misconducted himself in India;(46) his friends now say that they cannot defend his conduct.(47) He has been tried in this Court and other places, and the verdict has always been against him.(48) His, therefore, is a lost cause; but now his friends modestly come forward, and say: "We wish you to do something for him." Now, with respect to the co-proprietors, my opinion is, that they were taken in by Mr. Buckingham, in order that he might receive their support in his struggle with the Government.(49) We have been reminded that Lord Hastings did not send Mr. Buckingham from India. His Lordship may have been worked upon by the co-proprietors, not to exercise the power which in his secret mind he thought ought to have been employed. Whatever firmness of mind persons may possess, they are, in general, liable to be influenced, and to have their conduct swayed by those about them. It is material to observe, in connexion with this part of the question, that it is stated in the printed papers circulated by Mr. Buckingham, that among his co-partners were persons high in office, and of great commercial rank. I think it is highly probable that the noble Lord at the head of affairs did not send Mr. Buckingham from India, on account of the influence of the persons associated with him, and who were so associated in order to support him in the attacks which he was making on the Government.(50) If Mr. Buckingham had merely wanted a partner, is it to be supposed that, when the property was so flourishing, (yielding 36 per cent.,) he could have found any difficulty in getting an indi-

productive property, ought to have 100 per cent. at least; and even then, as in the case of the 'Calcutta Journal,' he may only receive 50 before the other 50 may be cut off from him entirely! By what right of law or justice can the property of honourable and intellectual professions be thus destroyed, when that vested in the most abandoned and profligate employments, houses of gaming and ill fame, is respected and protected by the laws? Sir John Sewell will judge, and ought to be able to answer this.

(45) If these had been natives of the country, perhaps it might; but they were all English gentlemen, and members of the ruling body; so that they would hardly assist in promoting their own overthrow.

(46) No person has ever "admitted" any such thing. If Mr. Buckingham had ever even *slightly* misconducted himself, the laws there would have punished him; but never having been once *convicted* of any even the slightest misconduct, it is really too much to assume, without a shadow of proof, that gross misconduct happened, and has been since admitted. Neither of these assumptions are founded on a tittle of evidence.

(47) His friends say no such thing; they are as ready as ever to defend it, if that were necessary: but it was not now the question in dispute.

(48) It is untrue; whenever he has been *tried*, the verdict has been in his favour. To compare discussions in the East India House, where any man may say any thing, however atrocious, without being called on for proofs, with a "trial," where no assertions are admitted but those supported by undeniable evidence, is a gross perversion of terms, unless Sir John Sewell, who makes the comparison, is too ignorant to see the difference.

(49) Mr. Buckingham was not engaged in a continual struggle with the Government; he as often gave it praise as blame. His struggle was with corrupt underlings and confederated secretaries, who combined their purses and their influence to prevent these abuses being exposed; but they were defeated by reason, defeated by law, and not being able to stand up against the moral power of the press, were induced to crush it by brute force.

(50) This assumption is also incorrect. Lord Hastings, in a letter written under his own hand, and addressed to Mr. Kinnaird, since his return to England, avows that he was frequently importuned by those subordinate members of his Government, to send Mr. Buckingham out of the country, but that he as constantly refused to do so, being of opinion that he had done nothing to warrant so oppressive an act, as utter ruin of a man's prospects for mere freedom of opinion, would, in his estimation, have been.

vidual to take so much of the concern as he wished to dispose of? (51) Is it likely that a gentleman, who could dispose of a share of his property to one or two persons, should saddle himself with the inconvenience of a hundred co-partners, all liable to interfere with and perplex the management of the concern, (52) unless he had some purpose to serve by it? I am of opinion that Mr. Buckingham set up his paper with a determination to enrich himself by it, and cared for no political consequences, provided he effected that object. It is impossible to read the hearts of men, and to ascertain their motives,—we must judge of them only by their acts.(53) We find Mr. Buckingham setting up a newspaper, and conducting it in a manner which was highly dangerous to Government.(54) Far from taking warning from the repeated admonitions of Government, he continued in the same course, and associated with him persons of great influence, in order that he might the better effect his object, regardless of what the consequences might be. (55) It being found inconsistent with the safety of the Government that Mr. Buckingham should remain in India, Government exercised their power (now approved by all parties) (56) of sending him away. It was soon ascertained, however, that it was of little use to have sent Mr. Buckingham from India, (57) because, he continuing a proprietor of the paper, the Journal was conducted according to his likings, either in pursuance of general instructions left behind him, (58) or in consequence of communications sent, from time to time, from this country.(59) It was a necessary consequence to

(51) It is clear, that if such an individual had been found, he would have made a bad bargain, and been a fellow-sharer only in the ruin which followed.

(52) It was an express stipulation of the Deed of Partnership, that the exclusive management of the paper should remain with Mr. Buckingham.

(53) The acts, then, were these: that Mr. Buckingham was never once convicted of any bad one; and that the only way in which he *could* enrich himself, was by acting in such a manner as to deserve the respect and support of his talented and well-educated fellow-countrymen, who were the only readers of his paper.

(54) As often as this is asserted, we shall say it is untrue, and stated, contrary to knowledge, for the base purpose of exciting prejudice against the individual. It was *not* dangerous, it produced *no* evil, except the undeserved ruin of its too-confiding conductor; and no man can have read the events of the times without knowing that it did much good.

(55) If the acts warned against were virtuous acts, it was a merit to disregard such warnings, and to let no fear of consequences deter him from the performance of them. A highwayman warns his victim against speaking at the peril of his life; but is he who braves this threat, and still speaks out, or he who cringes and escapes, the braver or better man? No man of free and elevated soul would even sell himself to willing and acknowledged slavery; it is enough for abject and degraded minds to consent to this.

(56) The remaining was *not* inconsistent with the safety of the country, nor the act of removal approved by *all* parties. It is condemned by all, except the sycophants of power and open admirers of despotism, and has *never* been admitted to be right by any others.

(57) Then *he* could not of himself, have formed the evil; for if he had, his removal would have been all that was needed to put a stop to it.

(58) The general instructions left behind him were read at the India House by Mr. Hume at the last debate; and particularly enjoined the conductors left in charge of it, to avoid as much as possible all offence to Government or individuals.

(59) Sir John Sewell's ignorance of the facts of this case is even more gross than that of Mr. Poynder, (and this is saying a great deal.) It shows, however, his utter disregard of whether he is speaking truly or not, to talk thus at random without even making inquiries. He ought to have known that Mr. Buckingham was sent from India in February 1823, arrived in England in July following, and that the paper was put down early in October of the same year, before it was possible for any communication of any kind to have reached from Mr. Buckingham from England to India! Besides which, even had it been otherwise, nothing

their former act, that Government should take care that the newspaper should not be conducted under Mr. Buckingham's influence, and they, therefore, refused to license its publication so long as he was connected with it. (60) Government inflicted no fine on Mr. Buckingham, nor did they take away his types; (61) they only refused to license a paper which was conducted in a manner inconsistent with the safety of the state. (62) Mr. Buckingham says, that in consequence of this measure of the Government he lost every thing; that types which cost 20,000*l.* sold for 3,000*l.*; and it is insinuated in Mr. Buckingham's printed papers that Government compelled his agent to sell the types to Dr. Muston. This is not the fact. The types might have been sold to any person who was desirous of purchasing them. (63) It appears that Mr. Buckingham's agents continued to maintain the establishment in the belief that Government would allow them to carry on the paper in the way they wished, (64) in consequence of which an expense was incurred, which not only swallowed up all Mr. Buckingham's property, but left him 50,000*l.* in debt. Mr. Buckingham has not published the whole of the correspondence which took place on the subject of the licensing his paper. I take it for granted that he has published only so much as will serve his cause; (65) but what he has given us does not bear out the statements which his friends make. It is said, that it was the fault of the Government that the establishment was maintained at Calcutta, because they (the Government) would not make up their minds as to the granting or refusing of the license. Now, it is quite clear from the portion of the correspondence which Mr. Buckingham has published, that at the date of the 10th of February the Government had determined that the paper should not be carried on, (66)

that he might write in England could be printed in India unless at the peril of the Editor there; whereas what he now writes and prints for himself in this country, will go out and spread itself over the whole of Hindoostan, this exhibition of Sir John Sewell among the rest, for the benefit of his reputation, to succeeding generations.

(60) This drivelling can surely impose on no one.

(61) No, they only refused to let them be used by any but one favoured man, who therefore obtained them almost for nothing, as they were of no value whatever to any one else.

(62) Again, we say this is untrue. The safety of the state was never for a moment endangered; nor could any one but an idiot or a madman really think so. All evidence and experience belies the conclusion.

(63) But no one else would purchase them, because no one else would be permitted to use them for the only purpose for which, as a whole, they were of any value.

(64) This is not true. The agents were not permitted to do any thing as they wished. It was to be conducted under a servant of Government as editor—and therefore as the Government wished; and it was after this was assented to, that the license was delayed.

(65) Neither has Sir John Sewell *adverted* to all the correspondence. Whenever men produce arguments, it is only those that are held to be elucidating of the question at issue. Nothing unfavourable has been withheld, nor any thing unnecessary given; but *all* sufficient is preserved on record to convict the Indian Government of the grossest injustice.

(66) Sir John Sewell must suppose that all he says will be taken for granted; and without these corrective notes, perhaps, many readers *might* suppose that he would hardly venture an assertion as to a matter of date, so easily detected by those who will take the pains, if it were not really true. But bad and cunning men often count on this indolence of men to examine for themselves, to say any thing that will serve their purpose; and the readers of the '*Asiatic Journal*,' where no such errors are corrected, will no doubt suppose all that he says is capable of proof. It is right, however, that the readers of the '*Oriental Herald*' should know better. On turning to the printed correspondence adverted to (which will be found at p. 579. of vol. VII. of this Work) the reader will see that the letter of the Secretary of Government to Dr. Muston, dated February 10th, and cited as an authority for the assertion that Government had determined the paper should *not* go on, asserts the direct contrary, and tells Dr. Muston, that if he can get the property trans-

and notwithstanding this decision, Mr. Buckingham's agents still kept up the establishment. If Mr. Buckingham sustained any loss in consequence of the maintenance of the establishment, I say it was the fault of his agents, Messrs. Alexander and Co., whose duty it was, when they saw there was no possibility of obtaining a license, to have got rid of the concern immediately. Under these circumstances, it appears to me, that Mr. Buckingham has cause to complain of his agents and not of the Government, and that he ought not to call upon us, but upon them, to repay his losses. There is but one point more to which I wish to advert. It has been suggested that Mr. Buckingham is at present in extreme distress, and I remember it was said on a former occasion, that, perhaps, before another Court was held, he would be placed within the walls of a prison. I congratulate him on not being there; (67) but it is proper that we understand the fact as to his being in a state of poverty. I happen to be informed about Mr. Buckingham, that that gentleman appears to live extremely well; and is, I understand, the proprietor of certain shares, not of such companies as have lately been brought under the consideration of the Lord Mayor, but of a company so respectable, that they would fetch from twelve to fifteen hundred pounds. (68) So far, therefore, as *appearances* go, Mr. Buckingham seems to be a man in extremely easy circumstances. (69) The case fairly stated appears to be this, that because Mr. Buckingham's agents did not manage his affairs to the best advantage, he comes before us, and says, "You must pay my loss—because I was prevented from doing mischief, you must pay my loss." It is not in the course of ordinary transactions that a man who has been prevented from doing mischief, (70) should come to the persons whom he attempted to injure, and ask them to pay the

feared to himself as his own, and can state "that the interest of Mr. Buckingham in it is entirely and permanently at an end," no objection would be made! On the 12th, only two days afterwards, the license was actually granted, and the paper received as Dr. Muston's property in copyright and materials, all, it might be truly said, plundered from its original proprietors, and given to one who had not a shadow of a right to its property. If Sir John Sewell's regard for truth and respect for justice is no better than this, he was, indeed, worthy to be a President of the Bridge-street Association, and may well be proud of the recollection.

(67) A fate from which the timely assistance of private friends alone saved him.

(68) Mr. Buckingham has no shares in any company whatever that are worth from twelve to fifteen pence. He never held any, nor ever paid or received a shilling in connection with any company whatever; so that Sir John Sewell's information on this subject is just as unhappy for his own character for accuracy as all the rest. Mr. Buckingham has nominal property in a public journal, all his shares of which are, however, mortgaged, and without much hope of speedy redemption. But he has even to those who have espoused his cause ample proofs of his condition, and invited even those who oppose it to come and judge for themselves, instead of taking up rumours at second hand. He states these details, not from any desire to intrude more of his unhappy history than is necessary on the world, but to put down false and calumnious imputations of permitting others to say for him what he dared not say for himself.

(69) And no doubt, if any bankrupt in London, the Goldsmiths—Poles—Williamsons, or any others, who were lately reduced from affluence to an inability to pay more than half their debts, were to be *seen* by such unthinking men as Sir John Sewell, they would be thought to all *appearances* in easy circumstances. Men do not put on rags and wear outward signs of squalid wretchedness, merely to preserve appearances; nor would there be any visible difference between a man of fortune on the day he received 100,000*l.* as a legacy, and the day on which he might lose the same amount beyond his all. Complaint is frequently made against the Editor of this Journal of indulging in personalities; but what can exceed the impertinence as well as injustice of such personality as this? Besides which, the question was chiefly as to the amount of real loss, and real embarrassments, with which these pretended appearances could have nothing to do.

(70) This is again begging the whole question. The opposite party called it being prevented from doing "good."



expenses which he has been put to. (71) I will oppose the motion, because I think it would be wasting the property of my Co-proprietors to give the sum demanded to Mr. Buckingham as a remuneration for losses occasioned by his own misconduct, and the bad management of his agents. (*Hear.*)

Mr. GAIAGAN.—The hon. Proprietor opposite (Mr. Poynder) concluded a long and tedious speech by recapitulating all the arguments he could find against the propriety of establishing a free press in India. Whether he was privileged to pursue that course, I will not determine; but at all events he might have selected a fitter opportunity for doing so, Mr. Buckingham's misfortunes being the only question before us. The hon. Proprietor adverted to what he was pleased to call the lawyer-like and technical address which had been employed in drawing up the motion, in order to prevent gentlemen from entering into the merits of Mr. Buckingham's case. Whether or not the motion displayed the signs of lawyer-like and technical address, I do not care, but I have no hesitation in avowing, that great care has been taken in the wording of it to avoid giving occasion for entering upon the question of the merits of Mr. Buckingham's conduct. The hon. Proprietor has, in my opinion, totally mistaken the object of the motion. He says, that when we are called upon to vote a sum of money to an individual, it is competent to us to examine whether he deserves it. Certainly; but that is not the question before us. We are not going to vote money to Mr. Buckingham as a remuneration or reward for past services. If that were the case, it would be fair enough to discuss whether he had deserved any such favour. I recollect that when it was proposed to vote a sum of money as a remuneration for past services, to an hon. Gentleman who is now a candidate for a seat in the Direction, (Major Carnac,) in which I hope he will succeed, I stood up in this Court and opposed the proceeding with all my energy. I was, however, advised to read the papers; and, having done so, I never in my life saw a case in which remuneration was so well merited. (*Hear, hear.*) Mr. Buckingham's case, however, is not one of remuneration for services. We are not to examine whether we have received a *quid pro quo*. It may be admitted, for the sake of the argument only, that Mr. Buckingham, by his delinquencies, brought himself within the pains and penalties of the law, which were deservedly inflicted on him by his removal from India; and, had the case stopped there, there would have been no ground for the interference of this Court; but the question for our consideration is, whether, subsequently to the pains and penalties of the law having been carried into effect, by Mr. Buckingham's deportation from India, the Government having, by its acts, unintentionally reduced him to poverty, we are not bound to make him some reparation for his misfortune. (*Hear.*) That the ruin which has fallen upon Mr. Buckingham was not intended by the Government, is, I think, apparent from the following extract from Dr. Muston's letter to Mr. Bayley: "I heard from Mr. Harrington it was your opinion that no license would be granted to me unless I became proprietor of the concern, or an actual transfer of the property was made from the present proprietors to others who should apply with me and the printer jointly, for a license to publish a newspaper. If this be the case, I have misunderstood Lord Amherst, who appeared to me to require only the exclusion of Mr. Buckingham from all and every power of interfer-

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(71) The persons asked to pay the expenses are the Proprietors of India Stock, for whose alleged benefit the measures in question were pursued, and who so proper to pay as they who benefited by the removal of this danger to the safety of their empire? But the act for which Mr. Buckingham was banished, was complaining of a waste of the Proprietors' money, (if the revenue of India be theirs,) and a misapplication of their servants' patronage, in making a profligate job of Dr. Bryce's appointment. This was a *benefit*, and not an injury to the Proprietors, and so the authorities in England thought; for they no sooner heard of it, than they sent orders to put down the job complained of, and removed the reverend preacher from his unholy office. As Mr. Buckingham was ruined for merely anticipating their wishes, who so proper as they whose views he had thus promoted, to repair that loss?

ence or control, and in no way to injure that gentleman's property. Indeed, his Lordship distinctly stated it to be his wish not to injure the property vested in the *Columbian Press*; but this wish cannot be realized if the property be transferred from the present proprietors." That was Lord Amherst, emphatically speaking. If, then, it can be proved that the property which Lord Amherst did not wish to injure has been totally destroyed, does it not become us to make some compensation, were it only to set his Lordship right with himself? The hon. Proprietor opposite, in the diffusion of his argument, alluded to every act of Mr. Buckingham in India. There I think the hon. Proprietor travelled out of the record. Amongst other things, he said that the jury who acquitted Mr. Buckingham in India, did so because they were frightened. In the name of wonder, why should they be frightened? We are told that there is a public in India. The jury must constitute a part of that public;—surely they were not frightened at themselves! In turbulent times, the eloquence of an advocate will sometimes induce a jury to acquit an offender who ought to be convicted; but it is unfair for any person to say that a jury has acted wrongly because they did not do exactly what he wished them to do. But what has all that to do with the question of Mr. Buckingham's property having been destroyed after his deportation? The hon. Proprietor, in the frisk of his fancy, alluded to the arguments of Mr. Serjeant Spankie and Mr. Serjeant Bosanquet against the freedom of the press. It is admitted that Mr. Buckingham did abuse the press; that he was very licentious, and deserved the punishment which he received: (72) but what we complain of is, that after the punishment was inflicted, his property was destroyed by the acts of Government. The hon. Proprietor, in drawing from the stores of his fancy, informed us that Mr. Buckingham had been guilty of high-treason.

Mr. POYNTER.—Surely the hon. Gentleman does not mean to say that I stated anything of that kind?

Mr. GAHAGAN.—The honourable Proprietor certainly did not state that in the precise terms; but he said that Mr. Buckingham wished to upset the Government, and raise himself on its ruins. (*Hear.*) I contend, Sir, that if Mr. Buckingham had succeeded in the object which the hon. Proprietor had attributed to him, he would have been guilty of high treason. (*Hear.*) For the hon. Proprietor certainly did say, in speaking of Mr. Buckingham's press, that it was his intention, by means of that instrument, to overturn the Indian Government. The hon. Proprietor, after making this remark, had, in a sort of rage or ecstasy, introduced to their notice the conduct of Mr. Cobbett and Mr. Hunt. He then quoted the remark of Mr. Justice Hale upon mercy, which was nothing more than a common and trite observation, which any person might hear delivered by the Judges every day. These learned individuals are in the habit of saying, "It is true that we owe mercy to the prisoner, but it must not be forgotten that we also owe mercy to the public." Now, Sir, it is that very species of mercy which we ask on behalf of Mr. Buckingham. That individual had been visited with the full extent of punishment which it was alleged his conduct deserved; and beyond that, no Government, having justice for its guide, could wish to proceed. (*Hear, hear.*) When the hon. Proprietor speaks of mercy, does he not know that mercy is the attribute of heaven? Is he not aware, that it softens and subdues the force of temporal power? Were it not so well known, I would quote the fine passage of our great Poet on this topic. You, Sir, in your high office, have many duties of a painful nature to perform; but I am sure that you are always happy when those duties fall to your lot in tempering justice with mercy. I appeal to the gentlemen behind the bar, as the dispensers of justice, not to exercise their power with too rigorous a hand. It has been

(72) If it be meant that this has ever been "admitted" by Mr. Buckingham or his friends, it is incorrect;—that it has been constantly asserted by his enemies, is most true. But it has been well observed in a London journal, that there would be no more triumphant reply to all the charges of licentiousness, than a literal reprint of all the articles ever complained of.

very truly said, that the *summum jus* may be the *summa injuria*; but here, those who have inflicted this heavy punishment on Mr. Buckingham, have gone far beyond the *summum jus*. It has been well observed by an hon. Proprietor, (Mr. J. Smith,) that the Judges, in apportioning punishment, always look to the circumstances of the offender; but in the instance now before us, every consideration of that kind appears to have been forgotten. The Indian Government, having fulfilled what they conceived to have been their duty by transporting Mr. Buckingham, ought not to have gone farther. Rigorous as that measure was, they might perhaps justify it, by saying, that they adopted it for their security; but what excuse can be alleged for taking those steps which destroyed Mr. Buckingham's property while he was himself in England? The noble Lord, at the head of the Indian Government, might say, "I have heedlessly ruined a property which I never meant to destroy." But of what avail would this confession be to Mr. Buckingham? That property having been ruined, no matter whether wilfully or inadvertently, surely the injured party should receive reparations. If, Sir, the Indian Government chose to exercise their power and rigour, they ought to take care at least that they exercised it in justice. If they inflict an injury which they never intended, they ought unquestionably to afford some redress for it. (*Hear, hear.*) I shall suppose, for the sake of argument, that any member of one of the great houses of agency in Calcutta had become obnoxious to the Government, and was sent home in consequence. Suppose, for instance, that individual was Mr. John Palmer, and that he, for speaking or writing libels against the Government, was deported from India; after that sentence was carried into execution, could Lord Amherst say to the house of Palmer and Co., "Gentlemen, I have, by the authority intrusted to me by law, sent Mr. Palmer out of this country, and I now warn you that you shall not carry on business under the designation of Palmer and Co. Not only that, but Mr. Palmer's share shall be taken out of this firm: it shall be sent into the market, and it may fetch, under the hammer, whatever it will bring." (*Hear, hear.*) I put it to the Court, whether this would not be a case of great hardship, and one which deserved remuneration? Yet such was Mr. Buckingham's case exactly—such was the injury inflicted on him; and I call on you, in the name of justice and equity, (if I may be allowed to mention that nauseous dose, which the hon. Proprietor, Mr. Poynder, seems so much to dislike,) to repair the evil which has been inflicted on this much injured individual. (*Hear, hear.*) The hon. Proprietor has, in the course of his speech, introduced a vast number of topics that are wholly irrelevant to the question. He entered into a tirade against the London University; and he took occasion to tell us, that genius, if not balanced by judgment and prudence, was a quality of the most deleterious and poisonous nature. Such truisms as these are familiar to us all; but what have they to do with the question before the Court? Nothing whatever. And therefore their introduction was a mere waste of time. (*Hear, hear.*)

I will now say a word or two as to the law of this question; and I approach the question, after the opinion delivered by the hon. Proprietor, with considerable apprehension; for I fear that my ideas may be very dull and obtuse, and I am perfectly aware of the acuteness of his faculties. The hon. Proprietor says, that the Indian Government was by law armed with power to do what has been done. He declares, in effect, that they had a right, in the first instance, to send Mr. Buckingham away, and afterwards to take those steps which have destroyed his property. But, Sir, the law says no such thing—the law gave no such power. The Government might say, "Here is a person acting in a manner which we conceive improper; seize him, tipstaff—put him on board a vessel—send him immediately out of the country." The law gave the Governor-General a right to do this; but the law at the same time said, "Touch not the offender's property." When Dr. Muston applied for a license, the regulations of the Government in the month of April ought to have pointed out to them the course which it was their duty to pursue. They might have said at once, "You shall have no license," and there would have

been an end to the matter. In that case, Mr. Buckingham's agents would have known what to have done. But, instead of that straight forward proceeding, they had recourse to delay and procrastination. They said, "We know whose property this is, and it is of this property, while Mr. Buckingham is connected with it, that we are afraid. So long as Mr. Buckingham has any thing to do with it, we will grant no license." This declaration was not made until after a long delay, and the ruin of the property was the consequence. As I have said before, I do not believe that this deterioration of Mr. Buckingham's property was knowingly and cold-bloodedly effected. It is sufficient for my purpose that it was effected. It is sufficient for me to know that Mr. Buckingham has been deprived of the means wherewith to live like a gentleman. And when that is the case, surely I do not ask too much, when I call on the Court to grant him a sum which, though by no means equivalent to his losses, will yet send him away in some degree satisfied. (*Hear, hear.*)

I now beg leave to make one observation, although I am almost ashamed to notice the subject, on certain remarks which have fallen from the hon. Gentleman below me, (Sir J. Sewell.) That Gentleman has alluded to the circumstances of Mr. Buckingham. What those circumstances are I profess not to be acquainted with—I disclaim all knowledge of them. I know not whether Mr. Buckingham be rich or poor, though probably the latter is the case; that is a matter which I will not descend to inquire into; but, Sir, if Mr. Buckingham had sufficient property to purchase shares in some successful project, if he had the good fortune to join in some speculation which has not, like others of the present day, vanished into air, I congratulate him most sincerely on the fact. (*Hear, hear.*) I rejoice that he was able, while floating in the waters of misfortune, to seize a plank, and thus to save himself from the destructive vortex of poverty and wretchedness. (73)—(*Hear, hear.*)

Sir C. FORTES.—Considering this, Sir, as an appeal to the humane feelings and liberal disposition of this Court, I shall abstain from saying one word on the circumstances which occurred previously to the departure of Mr. Buckingham from India. I shall confine myself to that which appears to me to be admitted on all hands, namely, that Mr. Buckingham has suffered very heavy losses, that those losses could not have been in the contemplation of the Government of India, when the measures which produced them were resorted to; and that this unfortunate gentleman's situation is such, as calls on us to extend to him that degree of assistance which will prevent him and his family from being reduced to beggary. As these are the points to be considered, I shall not enter at all into the subject of the policy of establishing a free press in India. It must, however, be in the recollection of the Court, that when I delivered my sentiments on that subject, I always guarded them in such a way as to prevent their being construed into an admission, on my part, of the propriety of setting up a perfectly free press in that country. Having dismissed that subject, I shall now make a few observations relative to what has fallen from the hon. Gentleman on the floor, (Sir John Sewell). With respect to Mr. Buckingham's pecuniary circumstances, I have reason to know that that gentleman will disclose with pleasure what the state of his circumstances is, and that he even courts inquiry into his situation. Mr. Buckingham, I can assure the Court, is very far from being in the state of affluence described by the hon. Proprietor. If he is one sixpence before the world, it is a fact contrary to what I think and believe. I know he is in debt to his agents in India, and I am sure that not only they, but individuals in this country, can bear out my statement. If Mr. Buckingham has shares, such as have been alluded to by the hon. Proprietor, I am unacquainted with the circumstance, and I do not believe that it is the case. It is unquestionably the fact, that he holds a quantity of East India stock sufficient to entitle him to sit and speak in this Court; but I know perfectly well that that stock is not his own. (*Hear, hear.*) Let me

be perfectly understood. I mean to say, that he has been assisted by his friends to obtain that stock. He has not purchased it with his own property; and I may also be allowed to state, that he has not purchased it with mine, as has been insinuated in other quarters. I have, Sir, seen that assertion in print; and I am therefore not only justified in denying the fact, but I am called on, most positively, to disavow every thing of the kind. (*Hear, hear.*) It is said, Sir, that I have an interest in this question. I have, it is true, an interest, but not of a pecuniary nature. It is an interest infinitely stronger, in my estimation, than that of a pecuniary character—the interest of humanity. (*Hear, hear.*) It has been asserted, that I have advanced loans of money to Mr. Buckingham. I deny it. Mr. Buckingham does not owe me one shilling; and, what is more, he never applied to me for assistance. (*Hear, hear.*) He has, however, been assisted by his friends, who, much to the credit of their feelings, came forward with their aid to prevent him and his family from being turned into the streets. Yes, Sir, to prevent that gentleman from being placed in the situation which the hon. Proprietor on the floor has congratulated him, in rather an ambiguous manner, on escaping. Mr. Buckingham has been assisted,—generously assisted by his friends, and I presume that is not a circumstance that will militate against him. I trust it will not operate against, I will not say the claim of Mr. Buckingham, but against the object which his friends have in view, in bringing this question before the Court. I rather think, Sir, on the contrary, that it will be considered as strengthening the appeals so forcibly made to our feelings on this occasion. (*Hear, hear.*) As to the style in which Mr. Buckingham lives, I can inform the hon. Proprietor, that he lives in the most humble and frugal manner. It would, I am sure, surprise the Court if I described to them the extreme moderation of that unfortunate gentleman. He has been obliged to give up a comfortable dwelling, which he was induced to take on his return to this country, in the hope of enjoying a property which he had left behind him in India, but which property has vanished in consequence of the course pursued by the Indian Government. He is now in a worse situation than he ever contemplated; he is largely in debt to his agents; he has been compelled, by distress, to remove from this comfortable dwelling, and he has retired to a small house in the suburbs of this great city. (*Hear, hear.*) I pledge myself, Sir, if it be necessary, to put it in the power of any gentleman in this Court to satisfy himself of the truth of this statement. Such, Sir, is Mr. Buckingham's situation at the present moment. That gentleman sits down, every day of his life, to the most homely fare, without even a glass of wine or a glass of malt liquor on his table. He is obliged to content himself with the chrystal stream. If Gentlemen have doubts on this subject, the fact can be proved by Mr. Buckingham's friends—for friends he has, who will stand by him whatever may be the result of this day's proceedings. Yes, Sir, I am proud to say that he has friends who will support him, and advocate the cause of justice against oppression, over and over again, even to the termination of our charter; aye, even to the conclusion of that which may follow; and I earnestly hope they will never lose sight of the object they have in view, until they have accomplished it. (*Hear.*) The object of my hon. Friend is, to make an appeal to the humanity of this Court, to grant to Mr. Buckingham a very small portion of that property which he has lost, or, to speak more correctly, of which he has been deprived,—not, as I am willing to believe, by the design of the Indian Government, or with the concurrence of the authorities in this country,—but which has been inevitably lost, under circumstances which have occurred subsequently to his leaving India. In making this appeal to your humanity, I am happy to think, whatever may be said in this Court, or rather, whatever may not be said in this Court, that a great body of the Proprietors at large will be disposed to adopt this resolution which is now under consideration. I will say, that out of this Court, and even within its walls, I have met with very few Proprietors who did not acknowledge that they are disposed to give Mr. Buckingham some remuneration; and I trust, Sir, that when we come to the ballot, those gene-

rous feelings which ought to influence all humane and liberal minds, will operate to procure for Mr. Buckingham the sum which is now called for. I entertain a confident hope, that when we proceed to the ballot, a large body of the Proprietors will be found to sanction the proposition now before us. I am sure, Mr. Chairman, that such a result would not be unacceptable to your heart; and I feel very great pleasure, in repeating what I have heard said, namely, that the grant which we lately extended to another unfortunate gentleman, (Mr. Arnot,) whose case has also been brought under the consideration of this Court, was mainly to be attributed to your exertions. To you, Sir, I am informed, the merit of that humane act is chiefly due, and it gives me great satisfaction to notice the gratifying circumstance in this place.—(*Hear.*) If that boon has been stopped, as I am sorry to hear it has, in another quarter, I trust that the delay will be but temporary.—(*Hear.*) If there be any deficiency, in point of form, which renders it necessary to postpone that measure of justice, I trust that it will speedily be remedied, and that ultimately, the wishes of the Proprietors will be complied with. (*Hear.*) Of this, Sir, I am sure, that should the results of the ensuing ballot be successful, you will not be the last to give your support in carrying into effect the resolution of this Court; and I trust there are many honourable gentlemen around you who would, in that event, participate in the same feeling. This question, Sir, is not put forward in the shape of a claim or a demand. It is brought before us as a matter of beneficence, compassion, and humanity. On that ground, and on that ground alone, I earnestly entreat of this honourable Court not to come to an adverse decision. I conjure them not to let what has been stated, and so ably and eloquently stated, in favour of Mr. Buckingham, particularly by the honourable Proprietor (Mr. John Smith) whose speech made so powerful an impression on the Court, to pass without producing a commensurate effect. (*Hear.*) From the manner in which that excellent speech was received—from the weight which is attached to every thing which falls from the lips of that honourable Gentleman, I augur favourably for the cause of Mr. Buckingham. I hope, Sir, that every gentleman will come to the ballot on this occasion, discarding from his heart all unkind feeling towards Mr. Buckingham, and prepared to do that which his better feelings—the feelings of compassion and humanity must dictate to him, namely, to impart to Mr. Buckingham, to his wife, and to his children, (one of them an infant only a few months old,) that assistance which will enable them to maintain their present rank in society, and which will secure them from being plunged into that situation which has been adverted to by the honourable Gentleman on the floor, though not indeed with that feeling which I think should have been manifested on so melancholy an occasion. Sir, I anxiously hope that when we come to a ballot, the Proprietors will give to Mr. Buckingham the trifling sum which is now called for. It is, Sir, trifling compared with the extensive losses he has sustained, but still it will, to a certain degree, repair that loss. As I have before said, I have no interest whatsoever in this question, except the great interest of humanity; and I do not believe that there is one gentleman who has signed the requisition before the Court, or who has put his hand to the paper calling for a requisition, that has any more interest in it than I have. I beg pardon for having stated my sentiments at such length. I could not, however, avoid it, Sir, as this is a subject on which I feel very strongly; and I hope, however inadequately I may have expressed myself, that the Court will give me credit for speaking my opinion plainly and sincerely. (*Hear, hear.*)

Mr. WEDDING.—Much, Sir, as I respect the opinion of the honourable Bart. who has just sat down—much as I admire his humanity, which I am sure is the sole motive that actuates him on this occasion—still I cannot view the course taken by him, and recommended to the adoption of others, as one which it would be a safe precedent for the Court to pursue. The honourable Bart. has strongly impressed on us the propriety of supporting the interest of humanity; but, Sir, besides the interest of humanity, we are called upon to look to the interests of our common country, to which every other consideration

ought to give way. (74) The question appears to me to be a sort of mixed-up one. Some of Mr. Buckingham's friends say, that the present is an appeal to our compassion, while others assert that it is a claim on our justice. Now, Sir, if this money be granted, I should like to know on which of these grounds that grant is to be made. If I could for one moment suppose, that there was the slightest claim of justice in the case, then my vote should be given in favour of this resolution.

It has, however, unfortunately for the proposition that this is a claim of justice, been conceded by the honourable Member whose speech made so great an impression on the Court, and whose character must inspire respect wherever he appears, (Mr. J. Smith,) that Mr. Buckingham had conducted himself in an improper manner whilst in India. What then is the argument of that honourable Proprietor? Why, Sir, after he admits the misconduct of Mr. Buckingham, he proceeds to state, that he thinks the banishment inflicted on that individual was more than commensurate with the offence. Such is the ground on which he votes for this proposition. But, Sir, let the Court investigate this question a little more closely, and it will be found that the honourable Proprietor has not advanced a word in support of his assertion. He allows, as also does another Gentleman (Mr. Gahagan) that the individual, whose case is now before the Court, had incurred the penalties of the law; but then he says, that the mischief of which he now complains was done subsequently to the infliction of these penalties.

Let us examine and ascertain how this appears. The 'Calcutta Journal' was continued, after the departure of Mr. Buckingham, under the direction of a Mr. Arnot: that individual trod precisely in the steps of Mr. Buckingham. The Government were, in consequence, obliged to remove him (75) They could not send away the other conductor, (Mr. Sandys,) as he was a Native. That individual said, "I will stay here, and publish what I please." "Then," replies the Government, "we have another power; we will take away the license, and you shall not publish offensive matter. (76) Such is the extremity to which we are reduced by your conduct: we are compelled to act in this way, in justice to the great interests committed to our care." Where, Sir, I ask, is the injustice of this proceeding? (77) Government had

(74) Can it be the "common interests of our country" to do that which must render our name odious in the eyes of others?

(75) The Government were *not* obliged to send him away, nor was this the proper remedy, as the result proved; for when he was gone, the evil was not lessened, but increased.

(76) Neither Mr. Sandys, nor any other individual, ever used such language, either directly or indirectly. The assertion of Mr. Buckingham, when he left India, was, that his paper being then left under the care of an Indian-born Editor, who could not be banished without a trial, it would be amenable only to the *laws*. It had not then any license, for the law requiring such license was not even proposed till some months *after* this assertion was made. So great is the ignorance of the plainest facts connected with this matter, manifested in every Debate on it at the India House, that the readers of them in India, who are acquainted with the real state of the case, must have the greatest contempt for the understandings of the men who continually pretend to speak on what they do not understand; or for their characters, if they really do understand the subject, and purposely pervert their statements of it.

(77) The injustice of this proceeding consists in this: that there was in Calcutta a Supreme Court of Justice, a British bench, a British bar, and a British jury, adequate to the trial and punishment of all offences whatever; and yet, instead of bringing the matter before this tribunal, which is competent to the punishment of the highest crimes, even murder and treason, it was shut out from the protection of the law, and determined by the mere will and pleasure of one irresponsible individual. Would Mr. Weedon think it no injustice to have his counting-house and all its business broken up in this arbitrary manner? Or would he not complain, if the Chairman of the Court of Directors, who is necessarily the superior of the Governor-General, should send his clerks a letter, declaring that so long as *he* (Mr. Weedon) had any share in his concern in

no private end to answer in proceeding thus; but they were imperatively called on to protect all these great interests which are connected with the British name, or upheld by means of the British connexion with India. It was, Sir, to prevent that connexion from being shaken to its foundation; it was to prevent our Indian empire from being altogether destroyed, that your authorities abroad resorted to this measure. (78) They were obliged to do so; they could not have acted otherwise without betraying their trust. (*Hear, hear.*) Would it not then be wrong, Sir, if the Proprietors, giving themselves up to their feelings of humanity, agreed to a motion which indirectly censures their Indian Government? (*Hear, hear.*) Would it not be to record, as erroneous and mistaken, the course pursued by that Government, and thereby to sanction the revival of those practices which they had felt it to be their duty to put down? (79) I am sorry to be compelled to make these remarks, but it is necessary, in discussing such a subject, to speak explicitly. (80)

Broad-street, it should never be permitted to go on? Really, the Christian maxim of doing to others as you would they should do unto you, seems to be quite lost sight of by those advocates, who boast most loudly of their respect for religion and the social virtues.

(78) It is impossible that Mr. Weeding can believe this, without wanting common sense; and impossible that he can say it, if he does not believe it, without being still worse. What! if the 'Calcutta Journal' had been permitted to go on, as a mere printing concern, sending forth advertisements, shipping-arrivals, births, marriages, deaths, prices current, and all the other harmless matter which an Indian censorship might admit, and under which it might still have yielded its proprietors a profit of three or four thousand a year; if this had been permitted, would the mere fact of Mr. Buckingham reserving a portion of that profit in England, have "destroyed our Indian empire"? Is it not disgraceful to the English name to see an empire of such extent committed to the care of such drivellers as these? It was well said by Mr. Murray's 'Representative' the other day, that "India was committed to the rule of twenty-four gentlemen, to whom it would be a sarcasm to apply the name of statesmen." And we may add, that the defence of its Government abroad has been here undertaken by three only,—Mr. Poynder, Sir John Sewell, and Mr. Weeding, to whom *any* name that we can imagine would be misapplied. We know of no term in any language sufficiently expressive of the imbecility which these three individuals have evinced in what they have volunteered, with an affectation of oracular wisdom, on this occasion. We venture to say this much, however, that the Annals of the World, if ransacked for a century, could not produce any parallel to the absurdities uttered at the India House, on the discussions of this single question. "Our Indian empire, shaken to its foundation, and altogether destroyed," if "this measure" (*i. e.* the giving Mr. Buckingham's property away to Doctor Muston, for him to use, in a particular way, for his *own* benefit, instead of using it in the very same way for the benefit of the rightful owner), "had not been pursued!" On what a frail foundation, then, must this empire of ours stand, when it might be so easily overthrown! Mr. Weeding's name must, ever after this, be held in veneration, in the *East*, at least, where men whose intellects are impaired have been objects of adoration from the earliest ages, and be worshipped as being under the particular influence of some spiritual but incomprehensible power.

(79) If the course taken by the Indian Government were purposely meant to destroy the property of an individual, then restoring that property would be to declare that course mistaken and erroneous. But if the course were merely meant to remove an individual, and destroy discussion, without unnecessarily invading property, then the restoration of what had been *unintentionally* destroyed, could not be regarded as a censure, since it would be merely fulfilling the original intentions of the Government itself, in seeing the measure intended for the public good carried into effect with the least possible injury to private wealth. As to any thing done here having the effect to revive discussions which the Government in India wished to put down, it is, if possible, more absurd still; for, 1st, have they not the same power as before, whatever may be said or done here, to remove every obnoxious person without trial; and, 2dly, to withdraw the licenses of every paper in the country, each and all without a moment's warning? And is not this sufficient security?

(80) We think so too: these subjects should not be handled with any false



What, I ask, does the Motion before the Court set forth? "That in consequence of the losses sustained by Mr. Buckingham through the proceedings of the Bengal Government, subsequently to his leaving India, it be recommended to grant him a certain sum of money." Now, Sir, in my opinion, those who make this appeal *ad misericordiam* to the Court, should rather have commenced their preamble by saying, that the loss was sustained in consequence of the misconduct of Mr. Buckingham, and of those who continued the 'Calcutta Journal' after him. Sir, you are called on by this Resolution to condemn your Indian Government, to condemn the previous votes of this Court, and even to condemn yourselves for that which you have done as a Court of Directors. Are you, I ask, prepared to say, when you apply to Parliament for a renewal of your exclusive privileges, that you agreed to a proposition casting censure on your Government, for having taken those steps which appeared best calculated to secure the safety and tranquillity of India? (81) If you are prepared to do this might not Parliament turn round and say, "We must alter the system, for your conduct in this matter shows that you cannot govern India properly"? It may be said by gentlemen that Mr. Buckingham's case demands commiseration. If it be so, Sir, then let his private friends come forward and assist him. If they are of opinion that his talents can be rendered as available here as they are said to have been in India, let them enable him to exert those talents; but let not us, by a blind obedience to our feelings, give up that character which we are bound to support. Let us not do any act that may compromise those great chartered rights by which both England and India have been so highly benefited. (82) When gentlemen touched on this question of compassion and commiseration, I would ask them to consider what is the course pursued if a man be condemned for an offence in this country. In some instances the criminal is punished with death, and of course his family must suffer by that judgment. But, Sir, it was never supposed—it was never heard of, that the family thus bereft of its natural protector had any claims on the Government of the country. No man could be absurd enough to reason, that, because the life of the individual was sacrificed, those whom he left behind were to be supported by the public bounty. It is very true, our feelings are often interested in the fate of an individual thus circumstanced; but would it not be an incentive to vice and wickedness, if the family of a man justly condemned were to be supported by the Government? (83) How would

delicacy. Mr. Weeding is right in speaking out, and so are his worthy colleagues. But we hope that when they assume the privilege for themselves, they will readily accord it to others. They have spoken plainly; so also have we: but let them remember, that in all cases it is they who have set the example; and as the choice of weapons was theirs, let them not complain if the wounds they inflict on their feelings or reputation are not easily healed.

(81) If this argument be worth any thing, it would apply to every act that the Indian Government ever had committed, or ever could commit. It is in effect saying, "Never admit that either you or your servants have been wrong, but always contend that your Government is the best possible Government; lest, by admitting it to have ever been, even in the most unimportant matters, once in error, the whole thing may be taken out of your hands!" This is really letting us behind the curtain of public life, indeed!

(82) This may be safely disputed.

(83) When criminals are condemned to transportation, which is the most analogous case, the Government of this country at least do not go about to see if they have left any property behind them, in order that they may destroy this also, or prevent its being used for the benefit of the criminal's family in his absence. The family of the transported man are, no doubt, deprived of the advantages they might derive from his being still permitted to labour in the country in which all his prospects were formed: this is inevitable; and in so far as Mr. Buckingham's family were injured by his mere banishment from India, and the stop put to his personal labours there, no complaint is now made. But it is because his property was pursued and destroyed *after* his banishment, and in his absence—which is never done to felons in this country—that he justly complains. He does not want

this proposition apply to a military Government? If any of our military servants were sent home, are they, on account of some incidental hardship, to receive relief; their own irregularities having originally produced their misfortune? (84) Would it not be a perversion of all reason?—would it not tend to the destruction of all those interests that connect India with England?—and would he hoped long connect those countries, if we were for a moment to recognise such a principle?

I will not trouble the Court with any more observations, except upon one point. I am sorry to bear hard on this individual, but I must speak out on this occasion. We are an associated body; and when a gentleman was brought forward, and described as one who was worthy of receiving our bounty, it is right that we should consider what claim he has on our compassion. It is, Sir, well known, that Mr. Buckingham is editor of a public journal, a periodical work, and how does he conduct it? Why, Sir, there is scarcely a page of that work in which he does not denounce the highest privileges you have—in which he does not condemn your exclusive trade, your government at home and abroad, and indeed your whole system. Yet, Sir, he sits in this Court, which is rather an extraordinary circumstance. It is curious that he should associate with us, as a member of this great body, at the same time that he declares to the world that we ought to give up those rights and immunities which form the basis of our connexion with India,—a connexion which, I repeat, has operated most beneficially for the interest of that vast empire. Surely, Sir, conduct such as this does not form a crown of praise for Mr.

to be supported by the India Company, or that his family should be *maintained* at their cost. He is the avowed and unshrinking enemy of their whole system of government; though not more so than the great historian of India, who, notwithstanding that hostility, enjoys their favour and reward. But he *does* say, that, enemy as he is, he deserves (being innocent and unconvicted by any law) to be treated with at least as much consideration as a condemned felon; that is, to have the property (on which his family might live even after he had been destroyed) left unviolated. He does conceive that he is entitled to as much consideration, in this respect, as Buonaparte, who, by the very men who outlawed him, and openly encouraged his murder, as ridding the world of a monster, was yet permitted to enjoy while living, and bequeath when dead, his own personal and private property; which is indeed respected in all captures by sea and land, and in the contests of the most uncivilized nations. Even the savages on inhospitable coasts, who seize the general cargo of ships washed upon their shores, are frequently found to show regard to individual property; and on that part of the coast of England where these scenes most frequently occur, the inhabitants often form themselves into a guard or a watch over the fragments of the wreck, which they gather up for the purpose of restoring to the unhappy individuals cast upon their shores. But the East India Company, more cruel and more barbarous than the worst savages of which we have ever heard mention, first unnecessarily cause the shipwreck of one of their countrymen's fortunes;—then look approvingly on while their servants set the elements of destruction to work upon it in the most powerfully effective manner;—and, lastly, when the ruined individual himself asks permission to undertake a voyage of half the globe, merely to gather up what fragments of the wreck may then be left, they refuse him this last hope, and see the whole exultingly swallowed up in the remorseless waves!! We say again that nothing half so cruel as this was ever heard of among untutored savages: it is brutal, barbarous, and demoniacal.

(84) The very thing here deprecated happened little more than a year ago, in the case of Mr. Marjoribanks, a civil servant, who, in consequence of neglect of his own, did not land at the Cape, (where, had he landed, he would have been entitled to be continued in pay,) but came on to England, where, by the regulations of the service, he was not entitled to the same allowances. Yet, though the change arose entirely from his own "irregularity," he put in a claim for 6000*l.* arrears of pay while he was in England and doing nothing; and it was granted to him with scarcely a dissentient voice, and that voice certainly not Mr. Weeding's. But Mr. Marjoribanks was the brother of an East India Director: and Mr. Weeding has sufficient sense to perceive that this is not the class of applicants whose demands should be judged by any principle but that of immediate compliance.

Buckingham;—surely, Sir, conduct such as this does not entitle that gentleman to appear before us, in *forma pauperis*, to ask for a reward from the Proprietors of East India Stock. I will not say other things which are in my recollection, and which certainly would not further the cause of Mr. Buckingham, because I do not wish to bear hard on that individual. All I shall say, Sir, is, that we cannot with propriety do that which is required of us, and I trust that the Proprietors will ultimately negative this resolution. (85)

Dr. GILCHRIST.—I believe, Sir, every one will agree with me that persecution, whether real or apparent, never fails to create friends for the object whom it has endeavoured to oppress. We have got a saying in our language, of "Give the Devil his due." It is a favourite maxim of mine, Sir; and if I saw his Satanic Majesty at this moment on the floor of the Court, and the Proprietors attacking him on all sides, I would hasten to his assistance, and act as his bottle-holder. (*Hear, hear, and laughter.*) I say that persecution is the most odious of crimes; and in proportion to its virulence it excites feelings of compassion for the persecuted party. The hon. Gentleman opposite (Mr. Poynder) deprecates the possession of talent, and even of perseverance; at the same time, Sir, he shows that he has sufficient perseverance and talent himself to give a wrong bias to the Court; and therefore I must put you on your guard against being misled by him. When I came down to the Court this morning, I thought the business would be soon over: the merits of the case were so clear, that I did not suppose the discussion could last more than an hour or an hour-and-half. The two gentlemen who opened the debate stated plainly and distinctly what was the motion before you. But the hon. Gentleman opposite gets up, and what does he do?—Why, he relates over again the whole story which has been five or six times before the Court already. Really, Sir, his object seems to have been to take up your time, and not to give you any fresh information. The subject, however, afforded him an opportunity of showing his powers of oratory; and the hon. Gentleman has made a tolerably long, and, I admit, rather an able speech. I, however, am sorry for the line of argument he has taken. It has been said by one of our poets,

Music hath charms to soothe the savage breast,  
To soften rocks and bend the knotted oak.

And, Sir, I will say, that mercy ought to have charms to subdue the human breast, to expand the human heart, and to induce men to throw aside their feelings of strict and stern justice.

(85) It is really very kind of Mr. Weeding not to "bear too hard" on an individual, of whom, however, he says all the evil that he knows: if he knows more, we invite him to disclose it, and we shall see who can render the best account of himself to the world. But his idea that no man should sit in the India House Court who disapproved of the system there advocated and pursued, is quite new, if not ingenious. If this were true, then no man should sit in Parliament but he who approved all its measures—no man live in England but he who approved every thing done in it—no man inhabit the globe itself but he who thought there was nothing in it to reform. This is really a degree of optimism far surpassing all we ever imagined to exist; and, if acted on, would go the length of excluding every man from every place or company with the entire conduct of which he was not thoroughly and entirely satisfied; so that societies would have nothing to do but pass their time in mutual and reciprocal praise and admiration. We do denounce "exclusive privileges," and more especially the exclusive privilege to strip and plunder untried and innocent men;—we do say that the continued existence of such a body of chartered oppressors as the East India Company, ought not to exist another moment. In saying this, we repeat only what millions besides ourselves feel and say in private, though to us alone almost is left the task of publicly denouncing this intolerable monopoly. We have said it *in* the Court—we say it *out* of the Court—and as long as we have the means of giving utterance to our thoughts, we shall repeat it again and again, till every ear in the kingdom shall have heard the denunciation, and till every heart shall be roused to demand of the nation the abolition of such an acknowledged system of irresponsible despotism as this.

We are all men, we are all liable to error, and while I admit that Mr. Buckingham may have done something wrong, yet I will contend that his losses and sufferings ought not on that account to be excluded from our merciful consideration. The fame of Mr. Buckingham has travelled over the four quarters of the globe—it is known wherever there is a press in existence. As a man of talent he deserves our respect, as a man suffering under the pressure of misfortune he claims our commiseration. His property has been wholly destroyed—his children and himself have been ruined. Shall we then under these circumstances refuse him assistance, shall we suffer ourselves to be hung up in chains before the world as a set of inhuman people by declining to relieve him? especially when he comes to complain of losses that were caused by measures adopted subsequently to his leaving India. The hon. Gentleman opposite (Mr. Poynder) has, I cannot tell how, brought into his speech something about the London University, which certainly had nothing to do with this subject. I happen to belong to that University, and glory in the fact; because I wish to do every thing in my power for the benefit of my fellow citizens, and I would gladly enable every poor man to read and write. It has been argued that we ought to be cautious in rewarding Mr. Buckingham, lest we should hold out a bad example to other persons in India. Nothing can be more fallacious than this argument, because punishment was in *terrorem* over the heads of offenders in India. We have been told that the Government is a pure naked despotism established by law. What man then, I ask, would have the hardihood to write against such a system, when a halter might be immediately placed about his neck, and an order given to send him out of the country. As yet, thank God, they had not the power to hang an offender of this description. (*Laughter.*) Sir, I think not only the gentlemen on your side of the bar, but the Proprietors at large, ought, for the purpose of preserving our character as a body of generous, good, honest men, to agree in this resolution. I hope, therefore, on this occasion the Court will be induced to substitute mercy for what some may call rigid justice, but what I conceive to be harshness and severity. (*Hear, hear.*) If I were situated as the hon. Chairman is, having in my hands a power to dispense mercy, and if either law or Gospel approached me, and whispered revenge, I would say, get behind me, Satan. (*I laugh.*) I know Mr. Buckingham to be a good and worthy man, and I can assure you, that I would not come here in a cloak of deceit to make a speech for the purpose of deceiving you. Several hon. Gentlemen will shortly come before the public as candidates for the Direction. I have not a vote at present, but I would nevertheless advise them to put their best foot foremost, and that foot is the foot of mercy. As to the fear that, if this resolution were carried, it would be attended with mischievous effects in India, it is perfectly absurd. Who with his eyes open would now go to India to live under a pure despotism? Nothing but sheer necessity would induce men to go out there. Unquestionably no man would think of proceeding to India to set up a paper, and to write as Mr. Buckingham had done. He might as well take the bull by the horns, or the tiger by the whiskers, as attempt to oppose the measures of the Government. I can assure you, Sir, that you will influence the public mind much more by the exercise of mercy in this case than by dealing out the most rigid and vigorous justice.

I beg the whole of the hon. Proprietors to consider this as a case that calls for commiseration. I say the whole of the hon. Proprietors, because I do not understand the distinction that has been made by one Gentleman, who seems to think that there are two Courts within these walls. I always understood that there was but one Court of Proprietors—that the gentlemen on the other side of the bar were members of that Court—and that the Chairman of the Court of Directors, more as a matter of courtesy than otherwise, presided in this hon. Court. Before I sit down, I intreat my fellow Proprietors to weigh this subject well, and to act as the honest hearts and feelings of Englishmen would lead them to do when not perverted by political purposes, or thwarted by political interests. I have not the power to ballot, but if I had fifty votes I would give them all in support of this resolution.

The Hon. D. KINNAIRD.—It does not strike me, Sir, that any remark has fallen from the other side which requires any answer on my part. With the observations made on the subject of the liberty of the press in India, I have nothing to do. I have not raised that question; I have studiously passed it by. I must say, that I have not heard a single well-founded objection against this resolution, and I really believe, that there is no feeling in the bosom of any man in this Court that would not be gratified by its success. I give those who have opposed it credit for doing what they take to be their duty; and I must also give them credit for sufficient goodness of heart, if the resolution be carried, to rejoice at the circumstance, (*Hear, hear.*)

The CHAIRMAN.—Before I desire the motion to be read, I wish to offer a few remarks on the subject now under consideration. The hon. Mover and Secondor of this motion, did, in the month of January last, when the same question was before the Court, call for the production of certain papers, on which, as I understood, they intended to found a motion for a grant of money to Mr. Buckingham. I then stated, that if the Court desired to have those papers, I would offer no objection to their production, provided it was clearly understood, that that acquiescence should not involve me or the Court of Directors in an assent to any motion that might afterwards be founded on those documents. An amendment was moved by a learned Gentleman—(Mr. R. Jackson) to this motion for papers, namely, “That the Court of Directors be requested to take into consideration the losses sustained by Mr. Buckingham since his departure from India.” Each of those propositions was negatived. I therefore conceive, that the question was completely decided on that occasion. I then pointed out the inconvenience which must necessarily arise if the course proposed at that time were adopted; and I am sure, that if the present motion be carried, the Court of Directors will be placed in a very awkward situation, considering the determination to which they had formerly come. I would now, as I did before, advert to the difference between the situation of a Proprietor who had not a seat in the direction, and a member of the Court of Directors. The Court of Proprietors may indulge in those feelings, the exercise of which must be pleasing to every person; but the Court of Directors are bound by an oath to do that which they conceive to be justice to all parties, and to the stipulations of that oath they must adhere. They have no choice whatever. It would, in my opinion, argue a want of candour if I did not now state, that the sentiments of the Court of Directors on that subject are *not to be changed*. Since the question has been considered, I have had communication with the President of the Board of Control, and that Right hon. Gentleman unites in opinion with the Court of Directors. I should be extremely sorry to see these different authorities at variance with the Court of Proprietors; yet if this motion were carried, such must undoubtedly be the case. I am, it is true, about to quit the chair in the direction; but I must declare, that if I were a member of the executive body, and this question came before me, my present opinion would remain *unchangeable*. (*Hear.*) I have now discharged what I conceive to be the duty I owed to myself and others, and I shall merely request that the motion be read.

Mr. HUME.—Sir, the observations which have fallen from you are of so extraordinary a nature, that I must say, long as I have attended this Court, I never heard any thing like them. Such a speech was never delivered here before. We are told that the opinion of the Court of Directors is *unchangeable*, and that the Board of Control *concur in that opinion*. But, Sir, in the course of my experience, I have seen them alter their opinion very suddenly. I have known them to adopt a particular principle at one hour, and the very next to change to its opposite. I therefore call on the Proprietors not to be deterred, by the declaration of the hon. Chairman, from taking their own view of this question. To say that men would adhere to such and such opinions, is futile—it is looking into futurity. I think it is a libel on the Court of Directors to suppose, if this question were carried by a large majority of the Proprietors, that no attention would be paid to the opinion of so great and enlightened a body. (*Hear, hear.*) As one of those who demanded justice for Mr. Buck-

ingham, I put in my claim to protest against the proceeding which has just taken place, and I warn the Proprietors not to let the speech of the hon. Chairman influence them in any decision to which they may think proper to come. If this Court expresses a different opinion from that of the hon. Chairman, and if unfortunately the Board of Directors, and the Board of Control, refuse to act in concurrence with that opinion, I shall console myself with the reflection that I have done my duty. To the public I shall then leave the question, in the firm belief, that through them Mr. Buckingham will ultimately have justice done to him.

The CHAIRMAN.—I have only stated what my impression, and the impression, I believe, of many others, is, with respect to this question; and I will undertake to say, that, in coming to a decision about it, as large a portion of independence will be displayed by every Member of the Court of Directors and Proprietors, as by the hon. Gentleman. The subject has been repeatedly discussed, and the decision has constantly been against Mr. Buckingham. This, however, will not satisfy gentlemen, and they now come forward and demand a ballot. I have no objection to that proceeding, although it has been prematurely requested. I am willing to have the ballot on the earliest convenient day, and I am anxious that the question shall be decided by as great a number of Proprietors as possible; but I greatly doubt, whether the Proprietors can be accommodated in this House, on the day which the hon. Mover has alluded to. Every gentleman must be aware, that the election of Directors excites a great many warm feelings, (86) which do not exist at other periods; and, therefore, I think a later day than that which is fixed for the election of Directors, shall be proposed for taking the ballot on this question.

Mr. WILKS next rose amidst loud calls for the question, which lasted for several minutes. The Chairman having with some difficulty preserved silence, the hon. Proprietor said,—I take it for granted, that the Chairman of this Court has no exclusive right to conclude a debate; I take it for granted, that observations made by him are no more than observations made by any other Proprietor, and are subject to such remarks as the nature of such observations may require. Knowing this, I feel very much surprised, that individuals should intrude themselves on the Court, with a view of interrupting the exercise of a right which is, on this occasion, exceedingly important. I take the same view of this subject, as was taken by the hon. Proprietor who addressed the Court last but one. It does appear to me, that it would have been far more expedient, if the hon. Chairman, clothed, as he necessarily is with great influence and power, had abstained from the expression of his judgment on this occasion. It would certainly, in my mind, have been more correct, if no observations of such a nature had been made by a gentleman in that high situation, because they must have a tendency to influence the judgment of many of those to whom they were addressed. When this is admitted not to be a question of right, but of mercy—when every person has disclaimed the intention of entering on the subject of justice; I think it would have been much better, if, under these peculiar circumstances, the hon. Chairman had not made the communication which has called forth the observations of the hon. Proprietor, (Mr. Hume.) But it appears that the absent Proprietors, now hastening to town, were to be instructed. They were to be informed, that in the opinion of the Court of Directors, and of the Board of Control, it is not desirable to grant this sum of money. Is that, I ask, a proper way of coming to a decision? I think the only true mode of deciding this question is, by inspecting the papers which have been printed—by deliberating on their contents, and then calling on ourselves, as men, as Englishmen, to form that judgment which humanity and mercy, as well as justice, will warrant. (*Hear, hear.*) It is said, that under such circumstances as the present, the opinion of the Court of Directors, if they had

(86) This is not the case; but even if it were, those feelings must be in favour of or against the candidates for the Direction, and could have nothing to do with any other question.

came to any conclusion, ought to be stated to the Proprietors. Now, I say this subject has not occupied the Court of Directors. I say that the kind and candid, and I trust ultimately, the successful proposition that is now before the Court, could not legitimately have come under the consideration of the executive body. When Mr. Buckingham's case was formerly introduced, it was a question of right, of papers, of complaint,—it was the case of a man who was seeking for justice. But now Mr. Buckingham appears before us in the garb of a suppliant, and throws himself upon our mercy. He asks of us, in consequence of the extraordinary losses he has sustained, to place in his hands the power of rescuing himself and his family from ruin, and of enabling him to pursue, to the end of his life, the honourable occupation which he had long embraced, that of endeavouring to enlighten his fellow-countrymen. This question, a mere question of compassion, could never, I repeat, have been fairly brought under the notice of the Court of Directors; and if it has not been before them, if no opportunity has occurred for collecting their sentiments, the opinion delivered by the hon. Chairman should not have been stated. (*Hear, hear.*) But it is not of their opinion, or their supposed opinion, that I chiefly complain. They are Proprietors as well as myself, and have a right to form their opinion; and, perhaps, a great many absent, as well as present Proprietors, approve of their course of conduct. But what I do complain of, as unfair, is, that a statement should have been made of what the ultimate determination of the Board of Control is likely to be. I put it to the honest judgment of every gentleman who hears me, how far it is proper that the opinion of the Board of Control should be introduced to this Court, for the purpose of influencing the judgment of the Proprietors? (*Hear, hear.*) Let us try this point by constitutional principles. I ask, would the opinion of the Crown, if obtruded on the House of Commons, for the purpose of carrying some particular point, be tolerated by that body? (*Hear, hear.*) Sir, if any member came forward with an opinion of that description, and quoted it for such a purpose, he would deserve impeachment. I, therefore, much regret the observations which the hon. Chairman has just made, and I trust they will produce no effect when we come to the ballot. Let the Board of Control keep their place and perform their duties, but let the Proprietors of East India stock also keep their station, and discharge those duties which were required of them. Let us, if this question be carried, present the result of our deliberation to the Board of Control; and if they reject it, on them be the permanent degradation of such a proceeding. (*Hear, hear.*) I call on you, as the Court of Directors, to assist the Proprietors at this juncture. I say, it is necessary, that the Proprietors of East India stock, and the officers of this Company, should be protected against the power of the Board of Control. (*Hear, hear.*) You, Gentlemen, behind the bar, represent the Court of Proprietors, and we demand of you, to do that which is due to those who are your constituents. (*Hear, hear.*) I have not, on many occasions, solicited the attention of this Court, but I must, on the present, enter my protest against the course adopted by the hon. Chairman, especially as the opinion of the Board of Control has been obtruded upon us. (*Hear, hear.*)

Mr. ASTELL.—Sir, I think it necessary, after the animated speech of the honourable Proprietor (Mr. Wilks) to endeavour to bring back the Court to the real state of the question which is now submitted to its consideration. The motion has been, I confess, introduced with great delicacy and forbearance. It is the wish of the honourable Mover to place Mr. Buckingham before us, merely with reference to what has happened since his arrival in this country, leaving entirely out of the question any notice of what occurred before that event. If the same judicious course had been adopted by the honourable Proprietor who seconded the motion, the question would not have occupied so much of the time of the Court. But, Sir, when that honourable Proprietor thought fit to assert, that Mr. Buckingham was fully justified in taking the course which he had pursued, for the purpose, as it appeared, of realizing a large fortune, it became competent to any Gentleman to enter

into all the circumstances of the case. Thus it is that the present discussion has arisen; (87) in the course of which an honourable Proprietor (Mr. Poynder) has made a very able speech, to which I paid great attention. It is true, indeed, as has been observed, by another honourable Proprietor (Dr. Gilchrist) that that speech contained no facts of which the Court was not previously in possession; but still it cannot be denied, that the honourable Proprietor had a right to enter into these details, in consequence of the line of observation that had been taken by the honourable Proprietor who seconded the motion. This, Sir, is not the first nor the second time that this question has been considered. It is, indeed, a thrice-told tale; and the decision has been, upon each occasion, against Mr. Buckingham. If this were a case of compassion, and of compassion alone, as it has been described by some gentlemen, and if, upon that ground, we were to support it, is there, I ask, any thing to prevent other individuals from availing themselves of the precedent, and coming forward to claim relief from this Court, on account of misfortunes which their own conduct had entailed on them? (88) (*Hear.*) Let it be recollected, when this plea of compassion is used, that we do not sit here to hold out our hands to every person who complains of distress, (89) but to fulfil properly the duties of our situation. But, Sir, while one party declare this to be a case of compassion, another, and the honourable Bart. (Sir C. Forbes) amongst the number, described it as a question of justice against oppression. Here, then, we have two questions before us—one, as to the justice of the case—the other as to the degree of compassion which shall be extended to the misfortunes of Mr. Buckingham. Now, Sir, I do not hesitate to say, that I cannot view this subject in either light. If Mr. Buckingham has been ruined, that ruin has been effected by himself. (90) Where then was

(87) This is unfortunately not true. Mr. Hume did not assert what is attributed to him; nor was the immediate purpose of the line of conduct adopted, the mere realization of fortune; though that is the frequent reward of popularity and general esteem in every profession of life. But the strongest proof that can be given of this course being premeditated on the part of Mr. Poynder, without reference to any thing that might be said by Mr. Hume, or any one else, is this—that Mr. Poynder came with a previously-prepared and elaborately-written speech, drawn up on large paper like a lawyer's brief, into which he had incorporated nearly all that had been written by Mr. Adam in his manifesto, and all that had been said by Mr. Spaukie and Mr. Bosanquet in their speeches before the Privy Council, on the subject of the press, carefully avoiding, of course, like a truly fair and honest man, all allusion to the replies made to each, except indeed assuming from the fact of Mr. Brougham being retained for the East India Company, that even *he*, radical and reformer as he was, was convinced in his heart that a free press was a dangerous thing in India, as if Mr. Brougham, or any other member of Mr. Poynder's *honourable* profession, will not defend any thing for the retaining fee, which silences all scruples that may arise. He at least ought to be the last person to attach any importance to this, as his "professional services" may no doubt be bought by any man, at the usually low rate at which opinions have always been on sale at every Court in the kingdom.

(88) It is *not* on account of misfortunes merely, or of misfortunes arising from *his own* conduct; for these misfortunes stopped at the period of his banishment; but it is for misfortunes brought on *him* by the *conduct of others*, when he was thousands of miles distant, and could do nothing to control it. Mr. Astell has too much understanding not to *see* the distinction clearly. Why then does he continually confound two things so utterly dissimilar? Let his *own* *dear* return him an answer to this question.

(89) This is not required. If it were mere distress, arising out of mercantile or other losses, Mr. Buckingham's friends would never have dreamt of asking the India Company for assistance. But he is involved in debt in consequence of the measures of *their* servants; and it is due to others, as well as himself, that he should ask those who have unjustly plunged him in the net of embarrassments, to stretch forth their hands to save him from *ruin*. If they will not do this, let the shame be on their own heads.

(90) As often as this is repeated, we shall deny the charge, and it is an import-



the injustice? (*Hear.*) I do not mean to inquire whether Mr. Buckingham is in a state of poverty or affluence. That consideration does not bear on the merits of the question, and I shall, therefore, pass it by. It does, however, appear to me, that the gentlemen who support this claim, have placed Mr. Buckingham in a dilemma, from which he will find it difficult to escape. One party calls for relief, on the score of compassion, while the other demands it on the ground of justice. These two pleas are clearly incompatible with each other. They cannot both be entertained. (91) Looking to the conduct pursued by Mr. Buckingham while in Calcutta, it is perfectly evident that he has himself alone to blame for his misfortunes. (92) If the Court will look at this case in its true bearings, they will find that Mr. Buckingham has placed himself in his present situation, in spite of expostulation and remonstrance. I cannot, therefore, consider it as a case in which justice calls on us to grant relief. If, on the other hand, it be entertained on the ground of compassion, will not such a proceeding encourage every individual who pleases to attribute to the Indian Government those sufferings which he has brought upon himself, to apply to this Court for remuneration? Sure I am, that, if this motion be agreed to, many claimants will appear before the Court; and some of them, I doubt not, with stronger grounds for requiring relief, than those put forth by Mr. Buckingham. (93) (*Hear.*) The Court, if once the precedent were established, will be called upon to grant £5000 to this individual, to-day, and £5000 to that individual, to-morrow; so that their whole time will be taken up in adjudicating those claims. (94) The

ant one; for on this the merits of the whole question rests. It is not true, and Mr. Astell cannot be so ignorant of the case as not to know this.

(91) They may both be entertained. It is the duty of a father to protect his children, and they have a right to demand that protection, as an act of justice. But it is not on that account the less sued for as a favour, and an act of compassion. It is because the claim of justice on the part of Mr. Buckingham has been rejected, that both he and his friends say—"Well, if your sense of justice is not sufficiently strong to induce you to yield to the claim, then listen to our solicitations, grant it as a matter of compassion, not so much to the individual, to whom you might not be disposed to accord it, as to his creditors, who never offended you; to his children, who never injured you; and for whom the plea of compassion may well be urged, without abating for a moment the just claim of their wronged and persecuted parent."

(92) This is not true. The very least portion of Mr. Buckingham's misfortune, his banishment, was the result, though by no means the necessary result, of his own conduct; all his greater misfortunes, the total deprivation of his property, could be no more charged to his conduct than the losses sustained by the Company under Lord Amherst can be attributed to the gains made for them under Lord Hastings. If Mr. Buckingham had made no property in India, then none could have been taken away from him. If Lord Hastings had not filled the Indian treasury, then Lord Amherst could not have emptied it. In this way, there may be some sort of connexion between the first and second state of things in each case, but in no other that we can possibly imagine. It might perhaps have been wrong for Mr. Buckingham to make a property for Lord Amherst to destroy, or for Lord Hastings to heap up wealth for Lord Amherst to dissipate; but the world in general will hardly give much censure to those whose only fault was not knowing the evil destiny that was to come after them, and sweep away all that they had collected.

(93) Then they should be heard and determined, each according to its own merits. But this language is in effect saying—"Do not do justice now; lest, once setting the example, you call up all whom you have injured; and no doubt they would make a formidable array to demand justice of you also."

(94) And for what are the Governors of all countries paid, but to see their affairs justly administered? If there are no claims to be heard, and no questions of right decided, because it will take up the time of those who have other pleasures awaiting their leisure, men had better govern themselves, and take that "wild justice" which every man's arm can administer for himself. It is indeed a fine illustration of that "impotent impatience," to use Lord Londonderry's phrase, adverted to by the poet in that expressive line—

"And wretches hang that jury-men may dine."

honourable Bart. had taken considerable pains to lay Mr. Buckingham's distressed state before the Proprietors; and has also informed us, that he had not assisted that individual. Now, Sir, I am of opinion, that, when we are informed, in this manner, of Mr. Buckingham's poverty, it would be much more to the credit of the honourable Bart. and the other friends of that gentleman, if they would put their hands into their own pockets, instead of appealing to this Court. (*Hear.*) As this case has been frequently decided, I cannot conceive what can induce eight or nine gentlemen to present requisitions for its re-hearing, time after time, and thus unnecessarily occupy the attention of the Court. (*Hear.*) The subject has been before the King in Council, (95) before Parliament, before the Court of Directors, and repeatedly before this Court. (Mr. D. Kinniard—"Not in its present shape.")—Sir, it is in vain to draw this distinction. The question at present before the Court is virtually the same as that which has been already so elaborately discussed. (*No, no.*) Gentlemen have, indeed, varied their ground a little. They now say, "Give Mr. Buckingham £5000, and we will refrain from introducing the subject of the Free Press, or the conduct of the authorities in India." I, for one, cannot accept of these conditions; and I shall, therefore, resist the motion by every possible means.

Sir C. FORBES.—The hon. Chairman has mis-stated what I said, which was, that I have been represented in print as having assisted Mr. Buckingham with loans of money. This fact I deny. I stated, most explicitly, that I had not lent that gentleman money; that he never even applied to me for assistance, and that he did not owe me sixpence. I also observed, that although I believed the individuals who signed this requisition had not assisted Mr. Buckingham with loans of money, and had not therefore any pecuniary interest in the issue of the question before the Court, yet that he had been relieved by his friends from benevolent motives. I am not at all interested in the result of this question farther than the interests of humanity are concerned. And I am sure that the sole object of those gentlemen, who have come forward on this occasion, is merely one of commiseration and benevolence towards this individual.

The Hon. L. STANHOPE rose and endeavoured to address the Court, but was for some time prevented by the noise and confusion which prevailed. Having at length obtained a hearing, he said,—I can assure the gentlemen who interrupt me that I will not be put down by clamour, but I am ready to be convinced by reason and argument. Sir, the learned Attorney (Mr. Poynder) who spoke in the course of this discussion, and the learned Ex-judge (Sir J. Sewell) who is a member, I believe, of the Constitutional Association—

Sir J. SEWELL.—I am obliged to call the hon. Member to order. He has no right to attack any individual by naming his profession *ad invidiam*, and thus holding him up to contempt.

Mr. S. DIXON said, that if the hon. Chairman had not allowed the worthy Director (Mr. Atwell) to speak after the hon. Mover had replied, and every person thought the question was about to be brought to a decision, the Court would have been spared the confusion which had latterly prevailed.

The CHAIRMAN.—The hon. Proprietor (Mr. S. Dixon) has been pleased to state, that, by allowing an hon. Director to express his sentiments, at a late period of the debate, I have been the cause of creating some confusion. That, however, is not the true state of the case. In conformity with established usage, after I had delivered my sentiments, I proposed that the motion should be read. An hon. Proprietor (Mr. Wilks) then rose, and asserted, that I assumed a right to put an end to the discussion by taking this course. I, however, claimed no such right. That hon. Proprietor, I may observe, seems to think that the Court of Directors can, without any difficulty, take

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(95) Never. The grievance chiefly complained of now, was not known when the mere question of the press was brought before that tribunal.

the money out of the pockets of the Proprietors, and give it to Mr. Buckingham. (Cries of "No.") They, however, could not, by themselves, do any such thing. It was necessary to obtain the sanction of the Board of Control. I have been censured because I mentioned to the Court my knowledge of the opinion entertained on this subject by that authority which kept the key of the Company's treasure; but it was, I think, my duty to apprise the Court of that circumstance. I shall only farther observe, in answer to what has been stated by the hon. Proprietor (Mr. S. Dixon) that it was not my hon. Friend (Mr. Astell) who spoke after me, and renewed this discussion, but the hon. Proprietor (Mr. Wilks) whose remarks called forth the observations of my hon. Friend.

MR. HUME.—The hon. Proprietor (Sir J. Sewell) appears to disclaim the title of Ex-Judge, though he certainly has filled a judicial situation in India. Now, Sir, permit me to ask, whether my gallant friend (Col. Stanhope) was out of order in any thing that he said; and, if so, what that departure from order was? These frequent interruptions in the course of a debate are extremely unpleasant. Let us, therefore, know what the rule or custom is, that we may be guided by it in future. I therefore ask you, Sir, whether my gallant friend was or was not out of order?

THE CHAIRMAN.—I never recollect such a course having been taken in this Court as the hon. Proprietor alluded to adopted.

MR. HUME.—I wish to know in what particular he was out of order, that we may hereafter avoid such mistake.

THE CHAIRMAN.—I think that the experience of the hon. Proprietor in another place will sufficiently answer that question. I believe no instance can be adduced where the Speaker of the House of Commons ever tolerated a Member in designating another as an attorney. (Hear.)

MR. HUME.—Why, Sir, within the last two months, I have designated a gentleman, who formerly held a judicial situation in India, in his place in the House of Commons, as "the late Judge in India," and I was not supposed to be out of order. My gallant friend has done no more than that, and I cannot think that he was out of order.

DR. GILCHRIST.—Why Mr. Buckingham has been called "a free-mariner," and the expression passed unnoticed. Now, Sir, what is the difference between being called an attorney and a free-mariner? (96)

SIR J. SEWELL.—The hon. Proprietor is a little mistaken if he supposes that it is to the mere using of the words Attorney or Ex-Judge that I object. No, Sir, it is to the making use of them, *ad invidiam*, and thus holding the individual up to contempt. I really think that such a line of remarks can answer no good purpose whatever; it may create that sort of effervescence which must be unpleasant to the parties themselves, and which cannot be beneficial to the interests of the Proprietors. It is not to the words "Learned Ex-Judge" that I object; but when they are used manifestly to bring the party into contempt, every Member has a right, and it may become his duty, to speak to order. (97)

(96) The only explicable difference is this—men are quite willing to be called by titles of which they are really proud, but do not like to hear those of which they are ashamed.

(97) The expression of Mr. Poynder, as adverted to by Dr. Gilchrist, was copied from Mr. Adam's manifesto, is used in the following passage—"The Indian Government, being displeased at something which Mr. Buckingham had written, demanded from him an immediate apology; but instead of complying with this demand, he enters into an explanation and justification of his conduct. To the clear and positive injunctions of the Supreme Government of the country, Mr. Buckingham, *licensed free mariner*, thinks proper to oppose his own pretended dignity, as if the unfounded insinuations thrown out by him against the public conduct of the Madras Government were nothing, and his pretended dignity every thing." That the title is here used *ad invidiam* no one can doubt; but anything so applied to those opposed to the Court, is always "in order" with those who preside. Yet, after all, a "mariner" is as good a title as a "servant," by which the highest of these lordly personages is called; and "free," though

The Hon. L. STANTON then proceeded—Sir, the learned Member of the Constitutional Association is entirely out of order, and was so during the whole course of his speech; for he has treated this as a political question, though politics have nothing to do with it. If, Sir, Mr. Buckingham had been guilty of publishing all the libels of which he has been accused by the learned Gentleman, (Mr. Poynder,) or if he had even committed treason, it would be necessary to convict him of those libels, or that treason, before you inflicted punishment on him. It appears to me that the case of Mr. Buckingham has been completely misstated. His case is simply this: that he set up a press at Calcutta, to advocate the cause of a hundred millions of British subjects in India, and to make his fortune. In both these objects he was very successful. He did a great deal of good to the people of that country, and he realized a splendid income. All his property, however, has been destroyed by the measures of Government. It is quite futile to suppose that the Court of Directors would themselves act, or would permit others to act, in any way that appeared contrary to their own private interests. The hon. Gentlemen behind the bar have at their disposal from 10,000*l.* to 20,000*l.* a year in patronage; and they would, therefore, endeavour to destroy the views of those who wrote against the system by which that patronage was secured. They and their Indian Government have a monopoly of the land and of the trade of India. They have a monopoly over the bodies of their Indian subjects; and, what is the most deplorable circumstance of all, they possess that worst feature of the Inquisition, a monopoly over their minds. An hon. Gentleman has told us, that if an individual be aggrieved in India, the courts of law are open to him. Very true. But let it not be kept out of view, that the pockets of lawyers and attorneys, belonging to those Courts, are likewise open. What prudent man, what man who has a regard for his property, would go into a court of law, or of what is called equity? Why, Sir, it is the worst species of gambling; for there is not a gambling-house in London, where the man who is cursed with the spirit of gaming, pays so much for his chance, as he does who appeals to the Court of Chancery, or any other Court. I very much fear that all the efforts of Mr. Buckingham's friends will have no effect in procuring him some remuneration. As well may we try to turn the sun from its course, as to induce the Gentlemen behind the bar to unite for the relief of that individual. (*A laugh.*) (98) "But," observes an hon. Proprietor, "if Mr. Buckingham be not satisfied with the decision of the censors of the press in India, with the opinion of my Lord Amblerst, with the dictum of the Court of Directors, and, lastly, with the judgment of this Court, why does he not appeal to the High Court of Parliament?" Why, Sir, this is mere mockery. At the bare sound of the word India, the Gentlemen of the House of Commons would instinctively seize their hats: some would hasten to the Opera House; some to the play-house; some to the neighbouring taverns; and some, of a more domestic turn, to their wives and families. In short, they would go any where, rather than listen to a discussion connected with India. Lord Melville formerly had, in a tone of stern rebuke

strangely misapplied in the instance in question, is as pleasing an epithet as "civil." It is the word "free," however, that seems to constitute all the degradation, if there be any in the title at all. Our Howards of Effingham, our Drakes, our Ansons, our Cookes, our Nelsons, and our Parrys, or, to pass into another sphere of service, though we do not mean it invidiously, our Epiphastones, our Marjoribankses, our Moneys, our Lindsays, our Clarkes, our Prescotts, our Locks, and all the other personally excellent and worthy Captains, who fill the publicly obnoxious and unworthy body of which they are members—were all "Mariners," and each distinguished in his day. Whether they were "free," or "not free," while serving in the profession, they best can tell; but if "slave mariner" might be more respectable in Mr. Poynder's case, they may be so designated, though "free mariner" is more so in mine.

(98) This is the heartless sort of answer which appeals to the best feelings of human nature meet with in an assembly of men calling themselves Christians and Gentlemen!

worthy of his high character, told those Gentlemen that they paid more attention to the details of a paltry turnpike-bill than to the interests of one hundred millions of British subjects in India. It is monstrous to think that such a multitude of people should be governed on the plan defended by the hon. Attorney who has so highly eulogised an unmixed despotism? Do we not, Sir, abhor ancient Rome, because it was said that there one-half of the population were slaves? And must we not feel astonishment when we see men stand up in this Court, not merely attorneys, nor members of the Constitutional Association, but persons from whom we should expect more enlightened views, and defend a system of pure despotism? The fact, Sir, is, that Mr. Buckingham can look for no redress, except that which he may obtain through the medium of publicity; and that is my reason for addressing you in this tone. Under all his sufferings, that individual must derive pleasure, satisfaction, and reward, from knowing that, in every well-constituted mind, his character stands high for honour, probity, and integrity. He appears now before us nobly struggling with adversity for the benefit of his fellow-creatures; and every man who admires talent and truth, will, I hope, stand forward to assist him. (*Hear, hear.*)

Sir J. SEWELL rose, amidst considerable tumult.—I have (said he) only one observation to make, which is, that no circumstance of my life affords me greater pleasure than the reflection, that I acted as President of the Constitutional Association.

The motion was then read; and afterwards, the requisition for deciding the question by ballot.

The Hon. D. KINNAIRD.—I do not rise, Mr. Chairman, either to make or to provoke any fresh attacks. I have, throughout this business, acted with a *bond fide* desire to promote conciliation. The motion which has just now been read, if heard properly, will answer sufficiently for the judgment of those by whom it was drawn up. The hon. Director (Mr. Astell) has stated, that this question has been placed on two different grounds. He asserts, that one set of men describe this as a claim of justice which we demand, whilst another party says, we give up the claim of justice, and call upon you for compassion. Now, Sir, this statement is completely answered by the proposition that has been just read. We do not give up the question of justice. We do say distinctly, that we waive that question. It is still open to us to agitate it at any time, but we do not choose to do so at present. We wish, Sir, to relieve the victim who has, unquestionably, suffered greatly, totally independent of any consideration whether the lightning that struck him came from heaven, or the instrument by which he suffered was wielded by any human hand. It is clear that Mr. Buckingham is the victim, whether the Government acted well or ill; and our object is, not giving up, but laying aside the question of justice, to grant him some remuneration for the misfortunes which he has undergone. I will say, Sir, on behalf of the Government, that they did, as I think, innocently inflict this punishment on Mr. Buckingham, and I challenge any person to say, that they did mean to visit him with that ruin, which, however, their measures have effected. When Gentlemen say, that the friends of Mr. Buckingham give up the justice of the case, and fix themselves on the ground of compassion only, I beg to observe, that we merely waive the question of justice. And for what reason? Because, Sir, we cannot agitate it in this place, except for the purpose of punishing those who did an injustice wilfully. I might, indeed, use that topic, to rouse the feelings of the Proprietors in favour of this victim, but I did not think it necessary. I felt that Mr. Buckingham's case was sufficiently strong, and, therefore, I did not endeavour to heighten it. I have no quibble to put forward. I have no wish not to state distinctly the ground on which I put this case. The hon. Director has said, that he thinks those Gentlemen who pity Mr. Buckingham's misfortunes ought to relieve them. So strong, Sir, is my feeling on the subject, that I, for one, am ready to do this. Nay, I have done so, and am willing to do so again. The only apology I have for stating the fact is, that it gives me an opportunity for saying, that I am willing to explain how far I afforded relief, and the circumstances under which I did so.

afford it. (Hear, hear.) If any person shall follow the example, it will give me the greatest pleasure. This is a case in which the Proprietors may well appeal to themselves, and ask, whether their doing this act of kindness could ever be considered as an impropriety; or whether they could ever regret having assisted Mr. Buckingham to overcome his difficulties. It has been said, that if this motion be carried, it will tend to cast a reflection on the Indian Government. This, Sir, cannot now be made an argument, because we have already given Mr. Arnot 1500*l.* on account of the sufferings which the measures of the Indian Government entailed on him. The two cases are the same, in every respect, except as to the amount. Both these individuals suffered from the conduct of the Government. When it is argued that the proposition now under consideration will involve the Government in Calcutta in a censure, I must deny the correctness of the allegation. In order to steer clear of any censure on that Government, I thought it necessary to pay particular attention to the wording of this motion; and I ask any unprejudiced man to get up and say, whether the proposition does not exclude all consideration, and all notice of the conduct of that Government. We acquit the Indian Government of having intended to produce those evils, which, however unforeseen, have necessarily fallen on Mr. Buckingham. I here beg leave to observe, that of all the unfortunate courses that could have been adopted, that which was taken by the hon. Chairman was the worst. He has thought fit to cite the opinion of the President of the Board of Control, in order, as it would appear, to produce some effect on the mind of the Proprietors. In what a situation does this place the Court of Directors? To illustrate the point, I shall put this possible case: Suppose a question to arise between the Board of Control and the Court of Directors on some important point, and that in discussing it with the Board, the Directors stated that their opinion was supported by a vote of the Court of Proprietors; what an extraordinary answer would the Board of Control have to this representation? They would say, "Go down and tell the Proprietors that our opinion is adverse to theirs,—that their decision is of no importance—a fig for the vote of the Proprietors! put them down at once, by saying, the Board of Control takes a different view of this matter;—you did as much a short time since, and you must do so on this occasion."

What a complete answer would this be to any representation that might hereafter be made by the executive body? The course which has been pursued by the hon. Chairman must have the effect of shutting his mouth, and the mouths of his colleagues on all future occasions, when they might wish to strengthen any claim by a reference to a vote of the Court of Proprietors. I must say, that the opinion of the Board of Control was very impudently introduced, and very unconstitutionally obtruded on the hon. Chairman. And I have no doubt that he reprimanded the Board of Control, though he has forgotten the circumstance. (A laugh.) Of course he said to them, "You don't recollect that I am in the chair of the Court of Directors, and the communication you have just made is, therefore, exceedingly improper." With respect to the fate of the motion now before the Court, it was very true that, even if it were carried, the pecuniary assistance now sought for may be withheld by the Board of Control. If it be so, it is a circumstance which I shall exceedingly regret, and unquestionably I will put my hand in my pocket to assist Mr. Buckingham. But, Sir, even though the pecuniary grant be refused by the Board of Control, still, if we carry the motion by a great majority, it will be conferring a great benefit on Mr. Buckingham, because we shall thereby do justice to his character. In that case, the Proprietors will show by their vote that they consider Mr. Buckingham to be, as I am sure he is, an honest, upright, and, though calumniated, a most honourable and estimable man. (Hear, hear.) I do therefore expect very beneficial results from the success of this proposition; whether it be followed by pecuniary relief or not. If a fair opportunity be given to the Proprietors, I have no doubt that they will do justice to the merits of Mr. Buckingham. And here, Sir, permit me to say, that if it can by any contrivance be made to suit the general convenience, it is very important to the cause of Mr. Buckingham that the ballot should

take place on that day which is fixed for the election of Directors. It is only consonant with the justice of the case, and the fair and honest wish which every man must feel to have this question properly decided, that a full opportunity should be given to the Proprietors at large to express their opinion. I am told, Sir, that no inconvenience can arise from selecting the day I have mentioned, as there is a very proper place within the walls of this House where a second ballot may be taken; and it will be attended with this advantage, that we shall thereby avoid the loss of another day. It is not by any means a new case, since the by-law provides for holding two ballots in different rooms on the same day. Now, Sir, I hope it will not be said, when the architect has been so long improving our *locale*, that you can find no place for holding a second ballot. I think the Directors ought to concede this point. They anticipate that the decision will go against Mr. Buckingham's friends, and, therefore, the greater the number of Proprietors who attend, the greater will be their majority, and their victory will be the more honourable and complete.

The CHAIRMAN.—In mentioning the opinion entertained by other authorities with respect to this question, I meant only to state the simple fact as matter of information. It was far from my view, to make that communication for the purpose of influencing the decision of the Court. I did not touch upon that point in the spirit of intimidation.—(Hear.) Though I have not an intimate acquaintance with the hon. Proprietor, (Mr. D. Kinnaird), yet I hope he will do me the justice to believe, that I shall at all times act with as much independence as any man in this Court.—(Hear.) I cannot, however, after exercising my cool judgment, consent to vote for taking the ballot on this question on the day which has been appointed for the election of Directors. I shall propose that the ballot be taken on Friday, the 21st. inst.; and on that proposition, I will take the sense of the Court.

After a short conversation between Mr. Hume and the Chairman, the ballot was, on the suggestion of the former Gentlemen, fixed for Tuesday the 11th of April, the day previous to that appointed for the election of Directors, the Chairman expressing his desire to have the motion decided by the greatest possible number of Proprietors, but declining to have it on the 12th, on account of the confusion which he thought must inevitably arise from holding two ballots on the same day.

#### ELECTION OF DIRECTORS.

The hon. L. STANHOPE.—Before the Court rises, Mr. Chairman, I will take the liberty to ask a question. I have received a letter with the names of twenty-four Directors affixed to it, calling on me to vote for certain individuals at the ensuing election. The question I wish to put to this Court is, in the first place, whether this is an official paper or a hoax? Whether, in the opinion of those high minded Gentlemen behind the bar, it is just, honest, politic, or lawful for the Court of Directors to address me, a Proprietor, on this subject; and lastly, I desire to know, what any of those four Gentlemen so recommended have done for the benefit of the subjects of British India? If they have done anything of that nature, they may command my vote.

The CHAIRMAN answered, that the letter was a very usual one, and if the hon. Proprietor did not like it, he might put it in the fire. (99)

The Court then adjourned.

(99) This highly appropriate answer to a question involving the right of election—the freedom of the Proprietors' choice—and due regard to the welfare of the people of India, may be taken as a fair specimen of the consideration in which each of these great branches of their privileges and government are regarded by those who hold power, not in trust for others, but for their own exclusive benefit. And yet the majority quietly and tamely submit to this willing and degraded slavery.

## OBSERVATIONS OF THE LONDON PAPERS.

We shall follow the course pursued on a former occasion in appending the few scattered expressions of opinion that have appeared in the London papers on the expected issue of this debate, that our readers may see what those who are unconnected with the India House and its system think and feel on this subject.

*From the Examiner, Apr. 2.*—A Meeting of Proprietors will be held at the India House on Friday next, on the requisition of Mr. Kinnaird, Sir Charles Forbes, and seven other Members of the Company, to discuss a motion which those gentlemen intend to propose, for granting Mr. Buckingham 5,000*l.*, towards compensating him for the losses he has sustained in consequence of the acts of the Bengal Government. The requisition very judiciously keeps the question of compensation for needless infliction of loss upon Mr. Buckingham distinct from the general question regarding a free press in India. Persons may honestly think, that free discussion is incompatible with the security of the British power in the East, and that it was necessary to banish the Editor of the 'Calcutta Journal' for sneering at a pitiful underling in office; but nobody can be sincerely of opinion, that *in addition* to the grievous penalty of sudden banishment, and the necessary loss attendant upon his removal, it was just or decent to destroy the property left behind him in India, from which he was to derive his future income; and every disinterested and humane individual must feel, that to go beyond even *that* injustice—to pursue Mr. Buckingham in his exile with the most unrelenting malice—to contrive, by holding out false hopes to his Indian agents, and making them false promises, to cause the *waste* of his actual money and goods—to add, in fact, the misery of debt to the previous utter destruction of a property *then* worth at least 20,000*l.*—was conduct which merits the strongest epithets of reprobation; and it is for such conduct—for acts subsequent to the commission of Mr. Buckingham's political offence, and his punishment for it, that something is now asked in the way of compensation. A stronger case we never remember. Mr. Buckingham has enough in the way of admissions on the part of the Indian authorities, to establish his claim incontestably. In his last letter to the Directors, he says, "Your Chief Justice, Sir Francis Macnaghten, avowed his conviction, in the most solemn manner from the bench, that the property vested in the 'Calcutta Journal' ought to be respected. Your Governor-General, Lord Amherst, has distinctly admitted the same principle when it was pressed on his consideration. The late Mr. Adam, also, in the pamphlet published by him soon after my departure from Bengal, disavowed explicitly any intention of evincing undue severity towards me personally; as he considered my removal from the country a sufficient punishment." We are quite sure that the India Directors themselves would never have treated any individual as Mr. Buckingham has been treated; we are equally sure that they cannot in their hearts approve of the cruelty practised towards him;—but their servants have been guilty of this oppression, and they can exonerate themselves from the odium attaching to it, only by affording the victim some public redress. If we could be sure that each Proprietor would calmly and dispassionately *think* upon the subject for half an hour by himself previously, we should have no doubt of the honourable result of next Friday's ballot.

*From the Sunday Times, April 2.*—A last appeal will be made at the India House on the part of Mr. Buckingham, next Friday, to the *justice* of the Proprietors, called on the requisition of nine most respectable names. A ballot will be demanded on that day, and we still entertain hopes that the Directors, who as yet have coldly negatived every claim for compensation, may pause before the last blow is given, and the ruin consummated of an unoffending and



much injured gentleman. The sum the Proprietors are asked to vote amounts only to 5,000*l*. Can they refuse this mitigated justice? Mr. Buckingham's property, 40,000*l*., was confiscated in Calcutta. Is it unreasonable to ask indemnity for but the eighth of that loss? The oppression of which he has been the victim is a stain on the name of the Company; they should have dashed their pen across the foul record of tyranny, and blotted it for ever from their annals. But the act is done, and cannot be now recalled; and the only question remains—Whether Mr. Buckingham is to be *both oppressed and ruined*? He left India in apparent wealth; he is now nearly a beggar! He had then the fairest prospects of fortune—but the band of tyranny stepped in to blast his hopes. When he left India, Mr. Buckingham's paper produced him 8,000*l*. a-year, and one-fourth of it he actually sold for 16,000*l*. In less than twelve months this property was annihilated by the caprice of an individual in power, the shares of 100 holders were rendered valueless, and the entire concern was destroyed. Is this justice? we ask. Can the India Company wish such oppression to pass unatoned to other days? Their dominion may soon close; their charter of monopoly is drawing fast to an end. Will not this very tyranny rise in men's mouths in judgment against them? Do they wish to be regarded in such an hour like Shakspeare's tyrant?

And then the thought of what men's tongues will say,  
Of what their hearts must think;  
To have no creature love them while living,  
Nor their memory when dead.

Here this powerful Company cannot shackle opinion, though they may do so in Asia. And what is the press in India now, but a *disgrace to the name of England*? Mr. Buckingham sought to raise it from degradation and render it free, and exile and ruin have been the consequences. But the argument is not now raised, whether the press in India should be free or enslaved; or whether Mr. Buckingham was justly or unjustly deported;—the question is, Had the Governor-General a *right to invade his property WHEN HE WAS GONE*, and transfer it arbitrarily into other hands? This may be Indian, or it may be Turkish justice; but it is not English. Here such an act would draw down general execration. No case before the Court for years has called more strongly on the feelings of the Proprietors—no grant has ever yet been sanctioned, with deeper claims by the individual—5,000*l*. forms but a slender compensation to Mr. Buckingham for the losses and anxiety he has endured; and can the Directors still recklessly withhold it? We do sincerely trust this grant may pass—it would be an act of redeeming justice, honourable to those from whom it came, soothing to the wounded feelings of a respectable man, and grateful to the great body of the public.

*From the Morning Chronicle, April 8.*—We regret exceedingly to see so strong a determination on the part of the East India Directors to refuse all compensation to Mr. Buckingham for an invasion of property, unexampled in the history of this country. If Lord Hastings committed a blunder in allowing a Free Press in India, it was certainly competent to his successors to say that a Free Press was incompatible with the security of an Indian Government; but the peculiar cruelty in the case of Mr. Buckingham is, that the Indian functionaries, not contented with driving him from India, and subjecting him to the loss of property inseparable from the conversion of a free and exceedingly popular Press, into a fettered, and therefore, much less popular Press, determined that their victim should receive no benefit from his property, even after it should have passed into the hands of an Editor named by themselves. The object was not public security, but the ruin of Mr. Buckingham. There is something exceedingly mean in all this; and we would fain hope that the sense of justice, which is always strong in the breasts of Englishmen, will yet induce the Proprietors to avail themselves of the power which the ballot gives them, in favour of the victim of so unrelenting a persecution.

*From the New Times, April 11.*—Mr. Buckingham makes his last appeal to the Proprietors of East India Stock this day. If it may be permitted to us to express a wish on this occasion, it is, that the Proprietors, in proceeding to ballot, may cast from their minds all thought of what has been said either by Mr. Buckingham's friends or foes, and fix them solely on *what were his prospects previous to leaving India, and what they are now.* The condition of humanity renders punishment necessary; but it is on giving and forgiving that the blessing is pronounced.

The day of ballot, which was fixed for the 11th, came; and such was the exertion made to oppose the object of the motion, that all the force of the House Establishment, and their numerous dependents, who are ever ready at the call of their superiors, were brought forward on this occasion, extending even to the females of families brought there by their male relatives to swell the number of the Directors' majority, and do violence to the general feeling and character of their sex; while the more independent Proprietors, who reside chiefly in the country, and had not arrived in town, were all absent from the scene. The Directors were wise, as it regarded the success of their own views, to resist the application for fixing the ballot on the day on which the election for Directors was to be held; because, on that day, by far the greater number of Proprietors, independent of their control, and likely to vote for the grant, would have been present; but postponing it until the 21st, which the Chairman proposed, would have been carrying it to a period when most of the same parties would have left town. By thus persisting, however, in not admitting the ballot to take place on the day when the greatest number of Proprietors were at the India House, the Directors tacitly acknowledged their conviction, that out of the whole body a majority might be found to be opposed to their views on this question; and, by fixing it on another day, they secured to themselves the certainty that *their* section of that body, which can be summoned at an hour's warning, would be sufficient to outnumber the few independent Proprietors resident in the metropolis and its immediate neighbourhood. The result was, as might have been expected, strongly in their favour, the numbers being—for the grant, 157; against it, 436; majority, 279: the whole number of votes being only 593; whereas, on the following day, the number of votes given in for the election of Directors, was nearly 2000—of so much importance was the choice of time at which this ballot should be held; and so much was the additional injury done to the individual, whose *all* might be said to be dependent on it, by the Chairman persisting in opposing its being held on the day when the greatest number of Proprietors were present.

The decision of this body has, however, now gone forth, and the measure of their victim's cup is full. Of the impression created by this decision in quarters the most remote from partial bias or personal influence; the following short paragraph, which is a fair index of the feelings entertained on the subject throughout the country generally, and which has fallen by accident into our hands, will give an accurate idea, and serve to wind up the melancholy history of which it is the close:

*From the Edinburgh Times, April 15.*—The proposal to compensate Mr. Buckingham for the losses sustained by him through the unexampled persecution to which he has been exposed by the Indian Government, has been rejected by the East India Company Proprietors. Here is a matchless specimen of the liberality, humanity, and justice of a great commercial body!—as matchless as the cold-blooded cruelty with which, by their servants, this worthy man was driven from India, and reduced from affluence to indigence, in contempt of every law and precept, either divine or human. The honour of English merchants, forsooth! To talk of such a thing, after this vote of the India House, would require no little effrontery.

## CHARGE TO THE GRAND JURY AT BOMBAY,

*At the Fourth Sessions of 1825 :*

BY THE HONOURABLE CHIEF JUSTICE SIR EDWARD WEST.

GENTLEMEN,—It has long been my anxious wish to make some observations to you upon the subject of your duties as Magistrates, and upon the proceedings of the stipendiary or Police Magistrates—both in the Petty Sessions and when sitting singly, or, as they have lately done, jointly. I have, however, been obliged to defer the performance of this duty much longer than I could have wished, partly on account of my incessant occupation in revising the Rules of the Supreme Court, and reducing the practice of it to order and system; and partly on account of the want of complete judicial information upon the various topics upon which I am under the necessity of addressing you, but which at length I have been able to obtain, so far at least as to show you the necessity of a thorough reform in the proceedings of that department of criminal judicature.

Gentlemen, it is scarcely necessary to inform you that the magistrates and justices, and Courts of Quarter and Petty Sessions, are by law placed under the control and superintendence of the Supreme Court, and that it is the bounden duty of the Supreme Court to see that they do not abuse or exceed the authority by law vested in them.

The charter of the Supreme Court, in addition to the general powers which it gives when it vests them with the same authority and jurisdiction as the Court of King's Bench in England, points specially to this jurisdiction over the magistrates. "To the end," says the charter, "that the Court of Requests, and the Court of Quarter Sessions, erected and established at Bombay aforesaid, and the justices and other magistrates appointed for the town and island of Bombay, and the factories subordinate thereto, may better answer the ends of their respective institutions, and act conformably to law and justice, it is our further will and pleasure, and we do hereby further grant, ordain and establish, that all and every the said courts and magistrates shall be subject to the order and control of the said Supreme Court of Judicature at Bombay, in such sort, manner, and form, as the inferior courts and magistrates of and in that part of Great Britain called England are by law subject to the order and control of our Court of King's Bench; to which end, the said Supreme Court of Judicature at Bombay is hereby empowered and authorized to award and issue a writ or writs of mandamus, certiorari, procedendo, or error, to be prepared in manner above mentioned, and directed to such courts or magistrates, as the case may require, and to punish any contempt thereof, or wilful disobedience thereunto, by fine and imprisonment."

By this clause of the charter, as well as by the general law of England, the magistrates are responsible to this Court, and to this Court alone; and no other authority than this Court has any, the least, control over them, except that the police magistrates hold their offices in the police at the pleasure of Government.

It is then one of the most imperative and sacred of our duties, to point out any irregularity in the proceedings of those courts and of the magistrates; and I know, of no occasion so fitting for that purpose as a charge to the grand jury; not only on account of its publicity and solemnity—not only because many of the gentlemen who attend the grand jury fill also the office of magistrate, but because the grand jury is composed, as by the charter it is directed to be, of the principal inhabitants of the place, and who have therefore the most weight and influence in society; and, above all, because you have, as a grand jury, the means and the right of inquiring into and presenting any abuses.

I shall therefore proceed to call your attention, first, to the origin, the constitution, and powers of the Court of Petty Sessions; secondly, to the actual proceedings of that Court; thirdly, to the powers of the police magistrates, sitting singly or jointly; and lastly, to *their* actual proceedings.

First, with respect to the origin, constitution, and powers of the Court of Petty Sessions.

In tracing the origin of the Court of Petty Sessions, I shall have to request your attention to some very extraordinary facts with respect to the police of this island; and I trust that in so doing you will not suppose that I am endeavouring to excite any prejudice against the gentlemen who at present fill the office of police magistrates. Those facts may now be considered as matter of history, and they constitute a history pregnant with instruction. It will impress upon your minds with tenfold more force than any arguments of mine, the necessity of a vigilant superintendence over those intrusted with the immense powers of the police. It will prove to you, that for want of such constant superintendence, nearly the same course of illegality has continued for nearly fifty years, in spite of the *occasional* interference of judges and grand juries.

Gentlemen, I wish to state most explicitly, and to have it understood most distinctly, that, in all my observations, it is the system that I am assailing, and not the gentlemen who are now police magistrates. They have, it is but justice to them to state, but trodden in the footsteps of their predecessors. Strange as it sounds in the ears of Englishmen, of those, at least, who have lived long enough in England to imbibe the spirit of her constitution, the system of police here has been, as far back as it can be traced, a system of discretion, and never a system of law. I will do the present police magistrates the justice of saying, that I believe that none of the abuses, to which I shall draw your attention, have originated with them. To return, however, to the history of the police:

This history is borrowed chiefly from an official document framed by Sir James Mackintosh, shortly before he quitted Bombay.

It appears from that document, that, till the year 1812, there were no legal regulations for the police in this island. A system of police had indeed been adopted under the direction, first, of an officer called the Lieutenant of Police, and afterwards under one denominated the Superintendent of Police; but the system was founded upon no rules which had any legal warrant; and their proceedings were such that each of these offices was successively abolished.

"On the 19th day of July 1779, the grand jury for the town and island of Bombay presented one James Todd," (then Lieutenant of Police,) "as a public nuisance, and his office of police as of a most dangerous tendency; and earnestly recommended, that it should be immediately abolished, as fit only for a despotic Government, where a Bastille is at hand to enforce its authority." The office, however, was not abolished upon this presentment, but continued in force during eleven years afterwards, when the same Todd was tried for corruption, and convicted, and the name of Lieutenant of Police abolished.

In the year 1794, the same office, and, strange to say, the same powers, were vested in an officer denominated the Superintendent of Police. "A circumstance had previously occurred respecting the police of Bengal, which rendered," as Sir James Mackintosh observed, "this appointment still more extraordinary." "Immediately after the Act of 1773, the Governor-General had framed a system of police at Calcutta, agreeably to the provisions of that Act, establishing a Superintendent of Police, with powers very cautiously limited, both respecting the magnitude of the crime, and the extent of the punishment; and under the obligation of laying his proceedings before the Governor-General and the Chief Justice. Yet even this system, with such limited powers, was soon complained of in the Supreme Court; it was publicly called "a deformity" by the excellent Sir William Jones; and his Majesty was at length pleased to disallow it, by warrant under his sign manual, as inconsistent with the rights of his subjects."

"Eleven years after his late Majesty had given this signal proof of that hostility to despotism, which becomes a British monarch of the House of

Brunswick," continues Sir James Mackintosh, "the very system which he had been graciously pleased to annul, was established at Bombay, though in a more mischievous state."

Gentlemen, it was upon this representation of Sir James Mackintosh, that the office of Superintendent of Police was at length abolished; but not till the then holder of the office, a Mr. Briscoe, had been indicted for, and convicted of, corruption in the Recorder's Court. Upon that trial, and upon the inquiries which ensued, a scene of fraud, cruelty, oppression and iniquity, such as has seldom, if ever, been witnessed in a civilized country, burst upon the view of that eminent person.

"It is too evident," says he, "to require proof, that the whole of what is called police has been a course of illegality. Nothing," continues Sir James Mackintosh, "has been legal, but the apprehension, examination, and commitment of accused persons for trial; and such summary convictions as are authorized by special statute, and, in the last case, only where the due forms of law have been observed, which it will probably be found has not even once been done.

"The summary convictions and punishments at the police are illegal on every ground.

"1st—They are illegal, because they were inflicted under rules which, from 1753 to 1807, were not confirmed by the Court of Directors; and, since 1807, have not been registered in his Majesty's Court.

"2dly—They are illegal, because they were not convictions before two magistrates, as required by the 39th and 40th Geo. III., introduced into this island by the 47th Geo. III.

"3dly—They are illegal, because many of them are cases of felonies, respecting which no power of summary conviction is vested in justices of the peace in England or India.

"4thly—They are illegal, because the punishments of banishment and condemnation to hard labour in chains on the public works, are not such as can by law be inflicted, either in England or India, upon summary conviction.—Every rupee of every fine imposed, since 1753, by the police, may therefore, in strictness of law, be recovered by the party fined. Every stripe inflicted upon them has been an assault and battery, for which they are entitled to compensation in damages; and every detention makes its authors liable to an action for false imprisonment. If indeed," continues Sir James Mackintosh, "there had been only an occasional and cautionary exercise of an illegal power, the case might have been more favourably considered; but it is a system of illegality exercised with the utmost violence." Such was the police under the Superintendent.

Gentlemen, it is to Sir James Mackintosh, I repeat, that we owe the abolition of this office. That eminent person, in this remote and then obscure spot, commenced that course of alleviation and correction of our criminal law, which he has since pursued in England. His exertions in that cause will hand his name down to posterity as one of the foremost in that honourable race of humanity and philanthropy, in which so many of our countrymen are now engaged. Soon after this representation of Sir James Mackintosh, the present regulations were passed by the Government, and registered in the Recorder's Court. These regulations are very imperfect and scanty; and, in some instances, most unskilfully drawn; but they were intended, I presume, merely as an outline, and to be filled up by other regulations, which longer experience might prove, or new exigencies render, expedient.

Gentlemen, it is only from these regulations, and others which have since been duly passed and registered, that the Petty Sessions and Magistrates can derive any authority, except indeed such power as they are invested with by the English law respecting magistrates in England. In communicating this power of framing regulations, and, to a certain extent, therefore, of legislating, the British legislature has proceeded with becoming caution and circumspection, and has provided every possible security, that such regulations shall be conformable to the law of England. After they are passed by the Government, they must, before they can have legal effect, be registered in the

King's Court, with its approbation and consent. It is expressly provided, that they shall not be repugnant to the laws of the realm; and it is the duty of the Court to reject any proposed regulations which should be repugnant to the laws of the realm. Further, an appeal lies against any such regulations to his Majesty in Council, who may disallow them; and copies of all such regulations are to be transmitted to one of his Majesty's Principal Secretaries of State.

These regulations provide, by article first of title second, "that on every Monday morning, at ten o'clock, a Court shall be assembled at the office of police within the Fort, to be entitled the Court of Petty Sessions: the Court to consist of three members, two of whom shall be the magistrates of police, and the third shall be the justice of the peace who, by the present course of practice, attends in rotation." Upon this article, it is as well to observe now, that the independent justices of the peace take each a month in rotation, and that the turn of each independent justice recurs, at the present time, but once in fifteen months. It could hardly be expected, that these justices of the peace, I mean the unpaid justices, should apply themselves to the study of Blackstone, or of Burn's Justice, or of the local regulations, for the performance of a duty which recurs so seldom. They would naturally trust for information, as to the law of each case, to the police magistrates, whose sole and undivided duty it is to attend to that branch of criminal judicature. Besides, as the court consists of the two police or stipendiary magistrates, and but one other justice, the police magistrates constitute a majority, and are for every reason therefore peculiarly responsible for the regularity of the proceedings.

By article the third of the same title, it is ordained, "that the said Court" of Petty Sessions "shall exercise the power of summary conviction granted by certain statutes to two justices of the peace, particularly in all common assaults, and in all defamatory and slanderous words."

Upon this article it is necessary to observe, that there are no statutes which grant the power of summary conviction to two justices in cases of common assaults or affrays, or of defamatory or slanderous words; and this is one of the instances of the unskilful manner in which these regulations are drawn.

By the fifth article, "the Court of Petty Sessions shall also exercise a like jurisdiction over all acts done in violation of the rules now legally passed, or hereafter to be legally passed, by the Honourable the Governor in Council."

By article the seventh, "the Court shall inflict upon persons convicted of the offences above described, such fines and forfeitures, or reasonable corporal punishments, as the offence shall seem to them to deserve, and, as by the above recited Acts of Parliament they are legally authorized to inflict."

Gentlemen, these are the whole of the powers vested in the Petty Sessions, as to the trial and punishment of offences; and you will particularly observe that this jurisdiction is altogether summary, both by the terms of the regulations constituting it, and in its actual practice.

There is no jury: the Court does not proceed by indictment, but by plaint. I need not inform you, that such jurisdiction ought to be exercised with great caution and moderation, and should be watched with a most jealous eye. Whether this caution and moderation have been observed, you will see immediately from the actual proceedings of the Court, to which I shall now beg your attention.

2d.—The actual proceedings of the Court of Petty Sessions.

Gentlemen, in observing upon the proceedings of this Court, I shall confine myself strictly to those facts of which I have judicial knowledge. By one of the regulations, the Court is required to lay a summary of their convictions and punishments quarterly, before the Quarter Sessions of the peace, the Court of Oyer and Terminer, and the Honourable the Governor in Council. The object of this rule was, of course, to give the Government, the King's Court, and magistrates, information as to the proceedings of the Court, in order to prevent, by means of their superintendence, a recurrence of the abuses, upon the discovery of which these rules were passed. This rule,

when first I arrived in the country, was not complied with; no summaries were ever handed up to the Court of Oyer and Terminer. I therefore ordered, that in future the senior magistrate of police should comply with the regulation; and, to the convictions and punishments, as they appear on the face of these summaries, I shall almost entirely confine my observations. The first is as to the punishment of

#### BANISHMENT.

In the summary (the first which I have) which extends from the 6th of January 1823 to the 31st of March of the same year, a period of about three months, there are thirty-five instances of such punishment; and, in the next summary, extending from the 7th of April 1823 to the 30th of June in the same year, there are thirty such instances. You will observe also the proportion which these punishments bear to all the offences tried by the petty sessions. The whole number of cases tried by the petty sessions during the first period is sixty-one, including many offences of a trivial nature, such as "driving without badges upon hackeries,"—"using abusive language," and "selling liquor without a license." Out of these sixty-one cases, there are thirty-five sentences of banishment. A frequent mode of expressing this sentence of banishment is—"that the prisoner do receive a pass-note." Thus, the first instance in the first summary is—"that the prisoner do receive one dozen lashes, and a pass-note." In a few cases the sentence is,—"that the prisoner do receive a pass-note to his own country," but of these latter the proportion is but very small, there being in the first summary but eight of this description out of the thirty-five. In very many of the cases in the different summaries the sentence is, "that the prisoner be sent off the island;" in some, that "he be banished." Nine of the offences out of the thirty-five for which this sentence is passed, are "for returning from banishment." In very many cases the following sentence is passed: "for returning from banishment, to receive three dozen lashes and a pass-note."

In some cases, for the same offence, "to receive three dozen lashes, to be sent to jail to hard labour for two months, and to receive a pass-note off the island,"—"solitary confinement in jail for one month, then to receive three dozen lashes, and to be sent off the island;"—and again, "solitary confinement for three months, and to receive a pass-note."

In some cases are the following offences, for which this punishment of banishment is inflicted:—"being very suspicious men and of very bad characters,"—"brought up as bad characters, and having been found in a suspicious situation." And, in one case, there is the following offence and sentence: "For harbouring in his house a man who had returned from banishment, two months imprisonment to hard labour."

Gentlemen, in the regulations there are some provisions which passed in 1813, respecting the sending *aliens* off the island. The first is in case of an alien's nonpayment of a fine imposed for not entering his name with the *muccadam* of his caste. The second is, where aliens live idle without work; in which case they may be committed to jail, and be flogged; and, upon a second conviction, upon production of the former record, they may be sent off the island. This punishment, however, has been constantly and indiscriminately inflicted upon all persons, without inquiry as to their place of birth, or domicile; and not one of the sentences of banishment in the summaries has proceeded upon the above-mentioned provisions.

To warrant this punishment, a punishment inflicted upon summary conviction, there is not a shadow of authority, even for any the most heinous offence. But for what is it inflicted?—"for being found in suspicious situations,"—"for being bad characters,"—and that by a Court of which two out of three of the judges are stipendiary or police magistrates.

But, Gentlemen, you may wish, and it is necessary for you to know, how this sentence of banishment is carried into effect, and what is the precise meaning of the sentence—"that the prisoner do receive a pass-note."

Upon the sentence being passed, a note is sent by the Police to the Custom-

house; that note is signed by the officer at the Custom-house; and a police sepoy takes the note and the prisoner to the passage-boat, which passes over to the main land. The prisoner is placed in charge of the tindal, who has directions to land the prisoner at Panwell, or the nearest main land; and the prisoner is accordingly there landed and turned loose. The prisoner is also threatened, in order to prevent his returning, with severe punishment, in case he should be found again on the island; nor is this a mere idle or vain threat, as you have seen—"three months solitary confinement," and "three dozen lashes," are the penalties for returning from banishment.

Gentlemen, upon the subject of this punishment, I will give you the words of Sir James Mackintosh—

"Banishment, and hard labour in chains on public works, are penalties not such as the statute calls moderate and reasonable corporal punishment; nor such as the law of England ever inflicts upon summary conviction before even two magistrates. They are appropriated to the higher order of crimes, after trial by a jury, and generally in commutation of the punishment of death. In 1773 the legislature bestowed on the Governor-General the power of enforcing regulations by fines and forfeitures. It was not till twenty-six years afterwards, in the year 1799, that they superadded the power of enforcing them by moderate and reasonable corporal punishment. This slow and cautious progress of the legislature is a singular contrast to the principles of the police in this island; which, though originally destitute of all legal authority, seized at once on the power, not only of inflicting corporal punishment, neither moderate nor reasonable, but of adding banishment and public hard labour; punishments only inferior to death, and usually substituted for death."

"If the officer of police," continues Sir James Mackintosh, "had been resisted, and killed in the execution of these illegal orders, the case might have given rise to very perplexing questions." He concludes this passage by these words; "the greatest inconvenience that can befall any community, is to be governed by power without law."

In these sentiments of Sir James Mackintosh, it is unnecessary to say that I fully concur; and have only to express my regret that, after this exposition of the utter illegality of the system, it should have been so long persisted in.

But permit me for a moment to again call your attention to the punishments inflicted for returning from banishment. If the sentence of banishment be illegal, as it indisputably is, it is no crime to return from banishment. Had the persons so sentenced petitioned the King's Court to be brought up by habeas corpus, we must have discharged them. But in most of the cases the prisoners so sentenced had no opportunity of so petitioning, being confined in the police guard-room till they were sent away; nor could the Natives, who were so sentenced, know that such punishment was illegal. The sentences for returning from banishment, for doing that which the persons sentenced had a right to do, are three months solitary confinement, a sentence of such severity as is seldom passed in England for the most serious offences; and three dozen lashes, a punishment to the severity of which I shall call your attention immediately. A person too, whose only offence was harbouring in his house one who had returned from banishment, which is no offence at all, is sentenced to two months imprisonment and hard labour.

But now I shall beg your attention to another punishment, that of

#### FLOGGING.

It has already been partly explained to you, that any power of the Petty Sessions to inflict this punishment must be derived from regulations made under the statute 39th and 40th Geo. III. c. 79. s. 18. which enacts, "that it shall and may be lawful to and for the Governor-General and Council for the time being, to order and appoint such moderate and reasonable corporal punishment by public or private whipping, or otherwise, as to them shall seem fit and expedient, for the breach or non-observance of any rules heretofore made, or hereafter to be by them made, subject nevertheless to such registry, publication, approbation, power of appeal, and other regulations, as are pre-



scribed by the act 13th Geo. III. touching the rules, ordinances, regulations, fines, and forfeitures, therein mentioned. Provided always, and be it further enacted, that no such corporal punishment shall in any case be ordered to be inflicted, except only in case of due conviction of the offender before two justices of the peace acting in and for the said settlement, presidencies, and places thereto subordinate, which offence such two justices of the peace are hereby authorized and empowered to hear and determine, and to order such punishment upon conviction as aforesaid. Provided also, that no such conviction, judgment, or order, shall be reviewed or brought into any superior court by a writ of certiorari or appeal, or any other process whatsoever; any thing in any former act or acts to the contrary thereof in any wise notwithstanding." This power, subject to the same provisions, is extended to the Governments of Madras and Bombay by the 47th Geo. III. sess. 2. c. 68. s. 1. Now the first question is, whether any and what regulations have ever been made by the Governor in Council at Bombay, and registered in the King's Court, ordering and appointing such punishment of flogging?

By the seventh article, the Petty Sessions are authorized to "inflict upon persons convicted of the offences above described such fines and forfeitures, or reasonable corporal punishment, as the offence shall seem to them to deserve, and as by the above recited Acts of Parliament they are legally authorized to inflict." What then are the offences above described? They are "those offences," by article the third, "in which the power of summary conviction is granted by certain statutes to two justices of the peace;" and by article the fifth "all acts done in violation of the rules now legally passed, or hereafter to be legally passed, by the Honourable the Governor in Council."

Gentlemen, having thus explained on what legal ground the punishment of flogging rests, I shall proceed to consider, first, whether this punishment, as it is actually inflicted by the Petty Sessions, is reasonable and moderate; and secondly, whether it has been limited to those offences for which it can by the regulations be inflicted.

You are, perhaps, aware the punishment is inflicted with a rattan upon the naked back. The sufferer is tied usually, I believe, to a tree. Upon the subject of the severity of this punishment, I shall beg to read to you a letter of the late High Sheriff, Captain Hughes, who, as you know, has the legal custody of the jail, and has been a military man, and has therefore witnessed the punishment of flogging as practised in the army.

"My Lord, the infliction of punishment by rattan, as now practised in jails, being attended with extraordinary severity, drawing blood at every stripe, and sometimes taking off with it small pieces of flesh; and, in full assurance that a measure so extreme will not, when known, be sanctioned by your Lordship, I beg leave, in consequence, respectfully to propose, that a drummer's cat be made use of in the jail in lieu of the rattan; which, however formidable it may be in appearance, is far less severe and injurious in its effects. In support of this opinion, I may be permitted to state, that there is now in my custody a battalion sepoy, who, on the 3d inst., received three hundred lashes on his left shoulder by the drummers of his corps; and on the 13th of the same month (being committed to jail) eighteen lashes with a rattan were inflicted on the other shoulder. The wounds on both are still unhealed. On being questioned as to the difference in point of severity of the two punishments, he declared with confidence, that they did not bear comparison; and was one or the other to be repeated, and a choice given, that he would gladly take the former."

"Though I do not credit," proceeds Captain Hughes, "the sepoy's assertion to its fullest extent, still, as he speaks from experience, and has a further punishment hanging over him, his opinion may be deemed to deserve consideration."

Upon receipt of this letter, I immediately addressed the surgeon, who is appointed by the Government to attend the jail, Dr. Sinyton, and requested him to give me his opinion in writing. It is as follows:—

"My Lord,—In reference to your inquiries on the subject of certain punishments, I have the honour to state, as my opinion, that flogging with

the rattan is a very severe punishment, in so far as I may yet be allowed to judge from my limited experience of such cases in the jail." (Dr. Smytton, it may be necessary to observe, had been but a short time surgeon of the jail.)

"When inflicted," continues Dr. Smytton, "on the bare back, in the manner usual in the jail here, one stroke is equal, I think, to at least a dozen with the cat, as applied in military punishments, and it is liable to be much aggravated by any accidental splitting of the cane."

Upon receipt of these letters, I immediately sent for the junior magistrate of police; mentioned these facts to him, and suggested the propriety of adopting some other mode of punishment, or at least of inflicting that punishment with more moderation. I desired him also to communicate my sentiments to the senior magistrate of police; and I also mentioned the subject repeatedly to some other gentlemen who are justices of the peace. These suggestions, I believe, have had some effect; the punishment of flogging is not, I believe, inflicted so frequently as it used to be, nor generally to the same extent, though, in the last summary, I still observe instances of prisoners being sentenced to two inflictions of three dozen each.

In the Supreme Court, where of course the highest classes of offences are tried, I never sentenced, even before I received this information, any offender to more than two dozen stripes at one time; and since we have received this information, we have applied this punishment with much more moderation. In the Petty Sessions it used to be a very common sentence, and that sentence still occurs, that the offender do receive three dozen lashes before he go to jail, that then he be imprisoned one, two, or three months, and at the expiration of that time receive three dozen more. According to information which I have received, and upon which I can rely, the wounds of the first infliction are frequently scarcely healed before the second is suffered. Gentlemen, the scars of these wounds are never obliterated but by death, and consequent dissolution of the body; and you may observe the scars on many a Native as he toils along the streets of the town under the burthen of a palanquin.

The persons present at these punishments are generally, as Sir James Mackintosh observes, only a handful of timid Natives. But it so happens, that on one of the occasions of the infliction of this punishment, at the office of the junior magistrate of police, a reverend gentleman of the highest respectability, Mr. Jackson, happened to be at the office; I heard of the circumstance, and requested him to give me his opinion in writing, which he has done, and permitted me to make this use of it. It is as follows:—

"In reply to your note of the 10th, I have to inform you that I witnessed the punishment which you allude to, and which I will endeavour to describe to you, as also the impression it left on my mind.

"I happened some weeks since to call on one of the magistrates, whom I found engaged in his office; a Hindoo was before him, charged with stealing some turban cloth; the theft was clearly proved, and the prisoner sentenced to be publicly flogged, and to receive six lashes, or, as I afterwards found to be the case, strokes to be inflicted by a cane.

"The man was immediately tied up to a tree in a yard adjoining the house, and one of the policemen proceeded to inflict the strokes.

"The prisoner was thin, and his bones projected considerably, consequently the effect of the stroke was most severe, and the sufferings of the poor wretch appeared great beyond description. The two first strokes distinctly left on the back the marks of the cane.

"The magistrate, on seeing the dreadful effect produced, humanely ordered the policeman to strike with less violence; but notwithstanding this, the prisoner, on being released, was unable to stand; he was supported to an adjoining shed, and some water was brought to restore him.

"The punishment was most severe, and to me most disgusting; and I confess I was much surprised to find that the spirit of prison-discipline, as it is termed, and which is now a subject which engages considerable attention in England, had not found its way to her Eastern Colonies."

"I will again repeat, that I considered the punishment alluded to most severe, and to the spectator most disgusting."

Gentlemen, the infliction in this case was but six blows; what must be the effect of six times six, or three dozen blows, some of them necessarily falling repeatedly upon the same place, upon the wounds made by the first blows? Next, let us consider the offences for which this punishment of flogging is inflicted.

It is frequently inflicted for assaults.

The following are some of the sentences: "Assaulting police peons in the execution of their duty, to receive two dozen stripes at the Chokee." "Assault, to receive one dozen stripes." "Assault and battery, to receive three dozen lashes in the Duncan Road, where defendant struck complainant."

Gentlemen, in considering what is moderate and reasonable corporal punishment within the words of the statute, we must of course take into the account the nature of the offence; and I need not ask you whether for common assaults, such as the latter appears to have been, three dozen lashes, such as you have heard them described, is a moderate and reasonable corporal punishment? The rule itself is a most extraordinary one, which authorizes flogging for assaults, affrays, and defamatory words; but even that rule cannot authorize the infliction of a punishment so disproportioned to the offence, and which is, consequently, in respect of the offence, so *immoderate and unreasonable*.

This punishment of flogging, too, is often inflicted, in its utmost severity, for returning from banishment, which is no offence at all.

We come now to another class of offences, for which this punishment is inflicted by the Petty Sessions, in its utmost severity, upon British as well as Native subjects of his Majesty. The following are the sentences:—

"Henry Kennedy, mutinous conduct on board the Camden, to receive three dozen lashes on board the Camden, in the presence of the ship's company."

"Thomas Senden, same offence, to receive two dozen stripes."

"Robert Buckley, same offence, same punishment."

"Refusing to work on board the ship Munro, each to receive one dozen lashes."

"Desertion from the ship Munro, each defendant to be imprisoned for two months to hard labour, and to receive one dozen stripes each at the time of their discharge."

These sentences have not any foundation of law, either in statute or in any regulation.

By the statute 2d Geo. II. c. 37. justices of the peace may punish seamen in the merchant service, who shall desert or absent themselves from, or leave, the ship before they are discharged, by forfeiture of wages, and imprisonment for a limited period; but there is no power given to flog or inflict any corporal punishment except that of imprisonment.

I shall not recapitulate the cases in which this punishment, as well as that of banishment, is inflicted upon persons for the offence of "being found in suspicious situations."

The only further observations which I shall make upon this species of punishment is, that it is mostly inflicted not in jail, but by the police immediately after conviction, so that the prisoner has no opportunity of applying to the Supreme Court for a habeas corpus, should he, as is most improbable, be aware of its illegality, and have the means of getting his petition and necessary affidavit prepared.

Gentlemen, I now come to another species of sentence, "that the prisoner do find securities for his good behaviour;" when such a sentence is passed the Court should mention in it the kind and amount of the security; as, that he should find security for his good behaviour for such a time, himself in such a sum, with two such sufficient sureties in such a sum each. It is, however, almost always passed in the Petty Sessions in the manner I have mentioned; "that the prisoner do give security," without specifying the period for which,

or the sum in which, or whether sureties are required or not. Upon such sentence not mentioning sureties, the Court have no right to require sureties, but must be satisfied with the prisoner's own security.

Gentlemen, upon these sentences to find security prisoners have been frequently confined for very long periods of time. Thus, on the 6th of October, 1817, a man of the name of Abdul Rahim Seedy, was sentenced to hard labour till he should find securities. Under this sentence he remained in jail till July 1823, a period of six years, when he died in jail. There are almost innumerable other instances of prisoners being confined for very long periods under like sentences. I hold in my hand a list of a few of them, which I directed the Marshal to make out. I will trouble you with only one of them : on the 23d of February, 1824, one George Bartley was convicted by the Petty Sessions of an assault, and he was sentenced to three months' imprisonment in the county jail, and the last month to solitary confinement, and at the expiration of those three months to enter into a recognizance to keep the peace towards Louisa Bartley his wife. After the expiration of three months he applied again and again to the senior magistrate of police for his discharge, who refused it upon the ground that he had not found sureties. He proposed sureties more than once, but they were rejected. He petitioned me several times for his discharge, but as he never sent me a copy of the warrant, I presumed that he was legally imprisoned, and of course did not interfere. At last, however, I directed him, in answer to his last petition, to send a copy of the warrant, which he did, and it appeared by the warrant and sentence that no sureties were necessary. I accordingly intimated to the senior magistrate of police that he was entitled to be discharged upon his own recognizance ; and that unless he was so discharged, I should order him to be brought up before me by habeas corpus, upon which he was discharged, but not till after he had been imprisoned eight months, during five of which he was illegally confined.

Gentlemen, all I can say in excuse of the police magistrate, upon this occasion, is, that I believe he thought he was acting legally ; and there certainly is not the least ground to impute to him any malicious or improper motive.

There is one other circumstance which I must bring to your attention, with respect both to the Petty Sessions and to the police magistrates, sitting either jointly or separately. It is the imprisonment of persons in the police guard rooms, or chokees, as they are here called, for long periods, as well after the evidence against them has been taken as after conviction. In the former case, after the depositions have been taken, if the magistrate thinks that the case is such as to warrant a commitment for trial, the commitment should be immediately made out, and the prisoner immediately sent to jail. In the latter case, after conviction, if a part of the sentence be imprisonment, the prisoner should likewise be immediately sent to jail.

Soon after my arrival in this country, I desired the Marshal to send me weekly a return of all the prisoners in jail, which has since been regularly done. I have been constantly much surprised at observing about a week or ten days before the sessions scarcely any prisoners for trial mentioned in this weekly return ; but when the sessions arrived have found that we had fifteen or sixteen, or sometimes twenty or more prisoners to try ; and upon inquiry I have learnt that the prisoners have been kept for weeks in the police guard-rooms, after the depositions have been taken, instead of committing them, as should have been done, immediately to the jail. I have mentioned this subject several times to the magistrates, and, I believe, with some effect. But let us look to the return I received last Monday week, and compare it with the present calendar. The return of last Monday week was two prisoners in jail for trial : the calendar contains nineteen prisoners for trial ; and on looking to the depositions in one case, that against Khutias Teju Lohana, the depositions and recognizances were taken on the 6th of September, the warrant of commitment, which I sent for, bears date the 29th of September. With respect to the other prisoners, I cannot at present ascer-

tain how long they were confined in the police, but shall be able to ascertain during the progress of the trials.

Gentlemen, with respect to the imprisonment of persons in the police guard-room, after conviction, I have not been able to ascertain whether it is a general practice; but one case, which appeared to me at the time to be a very aggravated one, came to my notice some time since; a petition was presented to me by a near relative of a man of the name of Ballsett Wittulsett, which stated that he had then been confined in the police guard-room for twelve days. I inquired into the facts, found that there was no warrant, and directed him to be brought up by habeas corpus, and on the return to that writ it appeared that he had been convicted before the Petty Sessions of retailing tobacco without a license, and the sentence of the Court was, that "he should be fined under the sixth clause of the seventh regulation, and that the tobacco should be confiscated." This was the whole of the sentence: there was no sentence of imprisonment; but, nevertheless, he was imprisoned, as I have mentioned, in the police guard-room for twelve days, and till he was discharged under the habeas corpus. This imprisonment was utterly illegal: it was illegal, because there was no sentence of imprisonment; and it was illegal, because, if there had been such sentence, he should have been committed, not to the police guard-room, but to the jail.

When this man was brought up by habeas corpus, as I have mentioned, it was stated by the senior magistrate of police, and I have since ascertained it to be the fact, that persons so fined for offences against the revenue, were, in the common course of practice, confined in the police guard-room till the fine was paid. Whether such practice has since been continued, I have no means of ascertaining. I have mentioned this as being a decision by the Petty Sessions, as in fact it was; but it should have been decided by the senior magistrate of police, who is appointed, by the Government Revenue, Judge for Bombay; and the other magistrates had, in law, nothing to do with the case.

In this case, too, the magistrate has the excuse of only having done that, which, however illegal and oppressive, had been long a constant practice; as I ascertained, as well from other persons, as from one of the then aldermen of the Recorder's Court, who was also a justice of the peace.

Gentlemen, the mischievous tendency of this practice of imprisoning persons in the police guard-rooms, instead of committing them to jail, is almost too obvious to require comment. The prisoners have no means of sending petitions for habeas corpus to the judges; the other magistrates have no means of visiting the jail; the grand juries never think of visiting or inspecting them; and the prisoners are entirely under the control of Native clerks and constables, who, you well know, are to be trusted very cautiously with power.

I should have thought that the abuses of this system, which were brought to public view on the trial of the head clerk, or purvce, of the late junior magistrate of police, would have operated as a sufficient warning to the police magistrates against the continuance of it. That person is still in jail under the sentence of the Recorder's Court. But this sentence has been as inoperative to check abuse, as the presentments of grand juries and the protest of Sir James Mackintosh.

3d.—I now come to the powers of the police magistrates, sitting either singly or jointly.

By article fourth of Regulation I. of 1812, "each magistrate shall ordinarily, within his own district, and occasionally elsewhere in the island, do all acts that a single justice of the peace may by the law of England do."

By article fifth of the same Regulation, "each of them shall, in the same manner, apprehend, examine, and commit for trial, all persons charged before him with any breach or violation of any rule now legally passed, or hereafter to be legally passed, by the Honourable the Governor in Council." These are all the powers of the magistrates, with the exception of those given

by some of the Regulations with respect to servants, &c., to one of which I shall presently draw your attention.

4th.—The next inquiry is, as to the *actual* proceedings before the police magistrates.

With respect to those, I was not a little surprised, after Sir James Mackintosh's protest against the proceedings of the superintendent of police, to hear, some time since, that the police magistrates, sitting singly, were in the habit of trying and punishing felonies, of flogging, and banishing. As soon as I was made aware of these proceedings, I directed the Clerk of the Crown to order the magistrates, in pursuance of the regulation before alluded to, to make a quarterly return to the Court of Oyer and Terminer of the crimes and punishments tried and inflicted in their respective offices. That Regulation extends merely to the Petty Sessions; but it was intended to inform the Court of all the crimes and punishments tried and inflicted by the magistrates, as by those Regulations the Petty Sessions alone could try crimes.

From the senior Magistrate of Police, we have never obtained any return till the present sessions. From the junior Magistrate of Police, I have received returns, from which the following are extracts:

"Stealing a copper pot, prisoner to receive one dozen stripes."

"Robbing some clothes, to receive one dozen lashes."

"Stealing toddy, to receive six stripes, and a pass-note to go to his own country."

In the same return are cases tried before the two police magistrates, of which some are,—

"For stealing a turban, one dozen lashes."

"For stealing a pair of shoes, to receive a pass-note."

"For stealing from the Race Bungalow, to receive two dozen stripes at the race-stand." "For theft, to receive one dozen stripes."

Upon referring to the return of the senior Magistrate made at these Sessions, I find that he also has pursued the same course of trying felonies, flogging, and banishing.

Gentlemen, I need not repeat to you, that it is utterly illegal for magistrates to try felonies; that it is utterly illegal under the Regulations, that flogging should be inflicted at all, except by the Petty Sessions, with one exception, which I shall mention to you presently; and that, by the statute, it is utterly illegal that flogging should be inflicted by *one* magistrate. It is utterly illegal for the petty sessions, or magistrates, to banish, except under the single Regulation which I have before mentioned.

You must be aware of the care, of the scrutiny, of the sifting of evidence, which are necessary in this country to arrive at justice. My experience has already taught me, that the most usual instrument of revenge among the Natives, is a criminal charge in courts of justice. Malicious prosecutions are most common. The witnesses can in no case be implicitly relied upon, and the duty of the judges in administering criminal justice is a most arduous one. Notwithstanding the solemnity of a superior court, which, as we well know, has a very considerable effect upon Native witnesses in keeping them nearer to the truth; notwithstanding the time we give to each case, with our professional habits of sifting evidence, with the aid, too, of most intelligent petty juries, with the advantage of depositions previously taken before a magistrate, and which enable us to detect the witnesses in any variance of their testimony,—we have frequently the greatest difficulty in eliciting the truth. Again and again, when the case for a prosecution has appeared clear beyond contradiction, some variance, or other circumstance, has turned up at nearly the close of the case, which has given a different colour to the whole transaction, and, ultimately, the prisoner has been acquitted. Such being the difficulty in the Supreme Court, what security is there, or rather I should say, what chance is there of justice being done in a magistrate's office, in the hurry of business, with none of the experience or the aid which the judges possess?

Upon this subject I shall again have recourse to Sir James Mackintosh. "It is," says that eminent person, "a still more melancholy reflection, that

this system is not only a continued breach of law, but contains no tolerable security for the observance of justice; criminal charges are tried before a single person. His power cannot be limited by law, since it does not issue from law.

"It is fettered by no rule or form of proceeding. It is exercised under no restraint from the public. The persons present are, in general, only a handful of timid Natives. Nine-tenths of the condemnations are unknown to any man who would dare to utter or even to form an opinion.

"If this uncontrolled magistrate deigns to record the case at all, he does it in a language unknown to those who are alone interested to correct him, and he may give any colour to the facts that suits his purpose.

"He is not obliged or accustomed to lay even the most brief abstract of such records before any superior authority.

"There are no rules which allow time for defence, or prescribe limits to the punishment.

"It is after such trial (if that word may be used on such an occasion) that many hundreds of men, entitled to all the privileges of British subjects, have been fined and flogged without limits, have been banished, and condemned to the condition of galley-slaves. In such a plan, it is surely great moderation of language to say, that there is no security for justice. It is no reflection on any man to impute to him the common quality of human nature. We cannot have the least approach to a reasonable ground of belief, that the majority of punishments so inflicted may not be unjust.

"That absolute power corrupts every man who has the misfortune to exercise it, is an obvious and most certain truth, which has been repeated very often indeed, but, unfortunately, not often enough to produce its due effect.

"A precipitate, clandestine, and arbitrary jurisdiction, a power of trying as a judge pleases, of convicting for what crime he pleases, and condemning to what punishment he pleases, without responsibility to his superiors, restraint from law, or check from public opinion, would be a situation of danger to the highest human virtue, and is perfectly sure to corrupt common human integrity. When this is joined to the undefined jurisdiction exercised respecting castes; to the influence possessed over the appointment of the chiefs of castes; to the power extended, under various pretences, to mere questions of property; to the minute information supposed to be conveyed to the superintendent by his spies; and to the terror carried into the poorest hovel by his peons dispersed over the island;—the whole forms an authority so terrible as to have few parallels in civilized society."

Gentlemen, Sir James Mackintosh was here drawing a picture of the police as it was in his day. I am sorry to say that, with a very slight alteration, (I mean as to the sentences of prisoners to work in chains, and to the power of appointing heads of castes,) the years that have passed have not destroyed, or even much impaired, the resemblance. With respect to questions of property, the Petty Sessions, long after my arrival here, were in the habit of deciding them without a shadow of right; and it is but very lately, if at all, that they have discontinued the practice of settling rights to land in a summary way.

I come now to the Rule before alluded to, the only one which authorizes flogging by a single magistrate. It is the fifth article of Regulation 1st of 1814, and is as follows:

"And whereas servants and hamals are frequently guilty of various acts of miscarriage and ill behaviour towards their masters and mistresses, which require moderate correction; and whereas, from the Court of Petty Sessions (before whom the offences of servants and hamals are now only properly cognizable) sitting but once a week, offenders of the above description are frequently kept in custody for days, not only to the manifest deterioration of their morals, but to the great inconvenience of their masters and mistresses, who are thereby deprived of their services: now be it enacted, and declared to be lawful for either of the magistrates of police, upon complaint made by any master, mistress, or employer, against any servant or hamal, concerning any misdemeanors, miscarriage, or ill behaviour in their service, immediately

to hear and determine the same; and, on such complaint being established by the oath of one credible witness, to punish the offender, either by causing any number of lashes, not exceeding twelve for each offence, to be inflicted on him or *her* so offending, or by fining him or *her* any sum not exceeding five rupees for each offence."

Gentlemen, I need hardly inform you that this Regulation is utterly illegal; as by the statute which I have already quoted to you, corporal punishment can be inflicted only on conviction before *two* magistrates.

The illegality, however, of this Regulation is certainly no subject for your consideration, or even that of the police magistrates. I mention the Rule, merely because it seems to impugn the doctrine which I have laid down, that neither flogging, nor corporal punishment of any description, can be legally inflicted, except upon conviction before *two* magistrates; and for the purpose of introducing to your notice the practice,—I cannot say under the Rule, because the practice is directly against the words of the Rule,—but the practice of flogging servants and hamals by order of a single magistrate.

Gentlemen, I am grieved to say, that it was at one time a constant and notorious practice in this country to inflict this punishment of flogging upon servants, upon a mere message or note from the master or mistress, without complaint upon oath, without a single witness to prove the misconduct of the servant. Notorious, however, as has been the practice, I should be hardly justified in mentioning it to you, had not one instance of it been brought to my notice judicially. I hope, however, and trust that this practice has of late been discontinued.

Gentlemen, I think I have said enough to convince you that the whole system of police in this island is illegal, that it is such that palliatives can be of no use. It would be vain to attempt to reduce this system to one of law and justice, by lopping and pruning; it must be entirely eradicated; a new system must be adopted! I shall conclude this long charge with the words of a very eminent Judge, Sir William Jones, addressed by him to a grand jury at Calcutta.

After citing a passage from Sir Mathew Hale upon the subject of trial by jury, he proceeds thus: "We may thence infer, that if any acknowledged subjects of Britain (for a different faith or complexion can make no difference in justice or right) shall be tried and convicted for petit larcenies, breaches of the peace, and other misdemeanors, and all offences inferior to felony, it will be a subsequent step to try them for grand larceny, and all felonies within the benefit of clergy; after which, the transition to felonies without that benefit will not be more abrupt than the third stride," which is the disuse of juries altogether. "The progress of arbitrary power," continued that eminent Judge, "is commonly slow at first, and imperceptible to all but the vigilant, like the creeping of a tiger at night in a brake; and it behoves us, by all decent and legal means, to guard posterity against that ultimate spring, from which nothing less than the doubtful horrors of a civil war might be able to protect them.

The convenience, indeed, of summary jurisdiction I am ready to admit; but it might be still more convenient to part with other constitutional rights, which are attended with troublesome duties, and we must always remember, what has been often said, that some inconvenience and trouble are the price which free men must necessarily pay for their freedom. To conclude, though all who hear me have, I am persuaded, the same generous sentiments with myself on this point, yet I was desirous of impressing it forcibly on your minds; for should our numerous fellow-subjects, who will, I trust, revisit their common country, carry back with them an indifference, contracted at this distance from it, to the principles of its public law, some future age, not very distant, may have just occasion to exclaim, 'It had been happy for us if a British dominion had never been established in Asia.'

Gentlemen, I have now performed a very unpleasant duty. It cannot be pleasant to me to throw blame, even impliedly, upon any persons, and, least of all, upon gentlemen holding the respectable offices of police magistrates. I will again repeat, in justice to them, that the course which they have been



pursuing, is that in which most of their predecessors have, I believe, trod for many years. Indeed I have reason to think that, within these last two years, the system has been considerably alleviated; and I know that, in many cases of cruelty to Native servants, the magistrates have afforded them redress against their European masters. One case in particular, Gentlemen, I must mention to you: A few weeks since, a Native presented to me a petition, stating that he had been flogged most severely with a riding-whip by his European master, for the crime of asking for his wages, which were six months in arrear. His back was scored with the wounds of the whip. I immediately sent him to the Petty Sessions, to which, indeed, he had before applied, but, by some mistake or misconduct of the Native purvoo, without effect. The complaint was entered, the master summoned, and fined seventy rupees. Gentlemen, I must do the senior Magistrate of Police the justice to say, that in all these cases between Natives and Europeans, he does his duty most impartially and most exemplarily, without respect of persons, without fear or favour. This is no mean praise in a country like this; and I trust, indeed I am confident, that he will take every means of repressing a system so disgraceful to the name and character of Englishmen as that of flogging servants. Gentlemen, I have already mentioned to you that this system of police has continued in much the same state for nearly fifty years; but the very inveteracy of the system, though some excuse to the magistrates, makes it the more necessary that I should take this public notice of it. Sir James Mackintosh, in the very document, parts of which I have read to you, reproaches himself most severely, but perhaps without cause, for not having before interfered to prevent such a system of illegality. It was in the last year of his residence here that he framed that representation. But, as he therein mentions that he had before that time only suspicions, and no judicial knowledge of the illegality of the system, it appears to me that he takes blame to himself without cause.

With these summaries, and the other facts which I have mentioned within my own judicial knowledge, I should have no such excuse. I am resolved that I will not, at the termination of my residence here, have any cause for self-reproach; nor will I afford occasion for my successor in office to blame me for supineness and neglect of the most important duties.

Gentlemen, I have but a word more. It is to point out to you the parts of this system to which I would recommend you to direct your immediate attention. The subject will be renewed at every sessions when I have the pleasure of addressing you. I would propose then to you, that you should at these sessions direct your attention to the punishment of flogging, and that, should you not be satisfied with the evidence which I have already laid before you, you should call witnesses, and examine them upon that subject. With respect to many of these abuses, (I mean those of which the Court can obtain judicial knowledge,) we shall, after this public notice, use all the means in our power to prevent their recurrence. But I am confident that you, Gentlemen, will be most anxious to participate in the satisfaction and the honour of correcting the system which I have exposed to you, and of ameliorating the condition of the millions intrusted by Providence to our protection.

#### PRESENTMENT OF THE GRAND JURY.

*To the Honourable Sir E. West, Knight, Chief Justice, and his Associates, Judges of the Supreme Court of Judicature at Bombay.*

MY LORDS,—A deputation of the grand jury has visited the jail, and upon their report we have the greatest pleasure in stating, that it is constructed and administered with the greatest possible attention to the safe custody and comforts of the prisoners. We have no suggestions to make in regard to it, except with reference to the condemned cells, which are insupportably hot, and which might, we think, be easily and materially improved.

We beg leave to express our thanks to his Lordship the Chief Justice, for so obligingly communicating to us the copy of his charge on the subject of the police.

After a full consideration of the points therein discussed, and persuaded as we are of their great importance, we have only to observe that, presuming it is the expediency alone, and not the legality of the Police Regulations in practice, that is submitted to our consideration, upon the latter of which we evidently are not competent to decide, we are of opinion that, considering the peculiar circumstances of Bombay, as adverted to by his Lordship, any reduction of the power of the police magistrates as at present exercised, would be attended with the greatest danger, and would add much to the increase of crime.

With regard to the removal of aliens, who are offenders or of bad character, from the island, and to the penal consequence of their return, and with regard also to the punishment of flogging as at present inflicted, we are of opinion, from our own experience, strengthened by that of the oldest magistrates in the place, that no change is expedient either in the frequency or severity of those punishments, or in the instrument with which the latter is inflicted: we think, however, that the instrument should in all cases be of one uniform standard, to be fixed by the proper authorities.

With respect to the instance of undue severity, as alleged by the Rev. Charles Jackson, we considered it our duty to make inquiries into it, and have satisfied ourselves, that the punishment on that occasion inflicted, (however it might shock the feelings of a gentleman unaccustomed to such sights,) was moderate in every respect.

In conclusion, the grand jury have to express their gratification at the testimony borne by his Lordship to the uniformly humane conduct of the senior and junior magistrates of police, and the cordial co-operation which his Lordship has always experienced from them in the exercise of the arduous duties of their several departments; and feel satisfied that his Lordship will continue to meet with the same zealous assistance from those gentlemen.—I have the honour to be, my Lords, your Lordships' most obedient servant,

(Signed)

CHARLES NORRIS, *Foreman.*

Grand Jury Room, 17th Oct. 1825.

## CIVIL AND MILITARY INTELLIGENCE.

### CALCUTTA.

#### CIVIL APPOINTMENTS.

*Fort William*, Oct. 6, 1825.—Mr. J. W. Sherer, third Member of the Board of Revenue in the Lower Provinces.—13. Mr. F. O. Smith, Judge and Magis of Cawpore; Mr. R. H. Scott, ditto ditto of Meerut.—Nov. 3. Mr. H. Lushington, Assis. to the Sec. to the Board of Rev. in the Lower Provinces; Mr. W. Ogilvy, ditto ditto in the Western Provinces; Mr. C. Lushington to officiate as Chief Sec. to the Govt.; Mr. A. Stirling ditto as Sec. to Govt. in the Jud. Depart.; Mr. E. M. Gordon, Polit. Agent in Saugur and Kurnaul; Capt. J. Sutherland, Bombay N. Cav., first Assis. to the Resident at Delhi; Lieut. W. Hislop, 35th Bengal N. I., Extra Assis. to the Resident at Delhi; Mr. F. Gouldsbury, Register of the Zillah Court of Sarun; Mr. B. Golding, Register of the Zillah Court of Jessore; Mr. T. Taylor, Assis. to the Magis. and to the Coll. of Meerut.—10. Mr. R. P. Smith, Register of the Zillah Court of the 24 Pergunnahs at the Sudder Station; Mr. H. V. Hawthorn, Regis. of the Zillah Court of Hooghley; Mr. A. Mackenzie, third Judge of the Provincial Courts of Appeal and Circuit for the Div. of Bareilly; Mr. W. Cracroft, fourth ditto ditto ditto; Mr. W. Monckton, Judge and Magis. of the district of Etawah; Mr. H. M. Pigou, ditto ditto of the city of Benares; Mr. W. Wollen, Judge of the district of Purneah; Mr. T. G. Vibart, Judge and Magis. of the district of Sylhet; Mr. D. Dale, ditto ditto of Backergunge; Mr. G. P. Thompson, Magis. and Collec. of the Jungle Mchauls; Mr. J. W. Templer, Magis. of the

district of Tirhoot; Mr. W. J. Turquand, ditto of Jessore; Mr. J. C. Brown, Regis. of Allahabad and joint Magis. stationed at Futtehpore; Mr. W. T. Robertson, ditto of Bhaugulpore and joint Magis. stationed at Monghyr; Mr. R. Barlow, ditto of Juanpore and joint Magis. stationed at Azeemghur; Mr. T. R. Davidson, ditto of the 24-Pergunahs and joint Magis. stationed at Baraset.—27. Mr. W. H. Tyler, Assis. to the Magis. and to the Collect. of Allyghur.—Dec. 1. Mr. C. Lushington, Chief Sec. to the Govt.; Mr. H. Shakespeare, Sec. to the Govt. in the Judicial Depart.; W. B. Bayley, Esq. to be a Member of Council.—8. Mr. A. Ross, a Puisne Judge of the Courts of Sudder Dewanny Adawlut and Nizamut Adawlut.—15. Mr. D. B. Morrison, Regis. of the Zillah Courts of Dacca Jhalpore; Mr. R. Neave, 2d ditto of the Zillah Court of Behar.

## MILITARY APPOINTMENTS.

*Fort William*, Oct. 28.—Capt. J. Bourdieu, 43d N.I., to officiate as Regulating Officer of the Invalid Thanahs at Chittagong.—Nov. 1. Lieut. Tritton to act as Interp. and Quarterm. to the 26th N.I.—2. Lieut. E. Kelly, 59th N.I., is directed to do duty with the 33d N.I., at Muttra; Maj. Kelly, Aid-de-Camp to the Rt. Hon. the Com-in-Chief, is app. Assist. Adj. Gen. of the Cav. Div. assembling on the Muttra Frontier—3. Brig. Burnet, C.B., is app. to the Command of the Troops on the Sirhind Frontier, during the absence of Brig. Gen. Adams, G.B., on sick cert.—7. Lieut. R. H. Miles, 1st N.I., to act as Post Adj. at Hussingabad, v. Jardine, dec.; Lieut. M'Vitie, 49th Reg., to act as Adj. to the Mugh Levy, v. M'Donald, resigned.—12. Lieut. G. Gordon, of the Pioneers, app. Adj. to Rajah Gumbeer Sing's Levy in Munniore; Lieut. Woodward, 2d N.I., to be Interp. and Quarterm. v. A. C. Beatson, app. Adj. to the 10th Ex. N.I.; Lieut. M'Bean, 52d N.I., to be Interp. and Quarterm. v. Auberjonois, prom.—17. Lieut. and Adj. Griffiths, Bareilly Provin. Bat., to officiate as Maj. of Brig., confirmed; Lieut. Arabin, Adj. of the Goruckpore Lt. Inf., is app. to do duty with the 7th Comp. of Pioneers at Agra.—18. Capt. T. Hepworth, 61st N.I., to officiate as Fort Adj. of Fort William (temp. app.); Lieut. Guthrie to act as Interp. and Quarterm. v. Fraser, dec.—19. Ens. Cole to act as Adj. to the left wing of the 67th N.I., during its separation from head-quarters; Lieut. Cumberlege to act as Adj. to the 1st Lt. Inf. Bat. (temp. app.); Lieut. Riddell to act as Interp. and Quarterm. to the 60th N.I. (temp. app.); Capt. C. H. Glover, 35th N.I., and Capt. N. Penny, 1st Ex. N.I., to act as Dep. Assist. Quarterm. Gen. with the Force now assembling near Agra; Lieut. H. A. Boscawen, from 54th N.I., to be Adj. to the Mugh Levy, v. Fairhead; Lieut. Farley, of Invalids, app. to do duty with the Native Invalids at Monghyr; Capt. Auberjonois to officiate as Interp. and Quarterm. to the 52d N.I. (temp. app.)—25. Capt. A. Wade 3d Lt. Cav., to command the 5th Local Horse, v. Gough, prom.; Capt. W. B. Salmon, 4th Ex. N.I., to command the Escort of the Resident at Lucknow.—Dec. 2. Capt. B. Blake, 69th N.I., to officiate for Capt. Thomas as Superin of Gent. Cadets at Fort William.—9. Maj. Gen. Shuldham is app. in the grade to the Gen. Staff of the Bengal Army.—23. Capt. F. Crossley, 62d N.I. to the command of the Escort with the Resident at Hyderabad.

The undermentioned Officers of the General Staff, and composing the suite of the Right Honourable the Commander-in-Chief, are to attend his Excellency proceeding on service to the Upper Provinces:

Maj. Gen. Sir S. Whittingham, Quarterm. Gen.; Capt. Elliot, Official Assist. Adj. Gen.; Col. Stevenson, Quarterm. Gen.; Lieut. W. Gardner, Assist. ditto; Capt. N. Penny, Official. Dep. Assis. Quarterm. Gen.; Lieut. Col. W. L. Watson, Adj. Gen.; Maj. W. S. Beatson, Dep. Adj. Gen.; Cap. J. J. Hamilton, Ex. Assis. Adj. Gen.; Lieut. Col. Cunliffe, Commis. Gen. Lieut. Col. Bryant, Judge Adv. Gen.

## PROMOTIONS.

*Infantry*.—Maj. Ed. Simons to be Lieut. Col. v. Walker, transferred to the Invalid Estab.; Maj. T. Gough to be Lieut. Col. v. Baker, dec.

*4th Lt. Cav.*—Lieut. G. C. S. Master to be Adj. v. Cornish, app. to the Gen. Staff.

6th N. I.—Lieut. and Brevet Capt. J. Tomlinson to be Capt. of a Comp.; Ens. W. Fraser to be Lieut.;—in succession to Malthy, trans. to Invalid Estab.; Ens. M. Huish to be Lieut. v. White, dec.

10th N. I. Lieut. R. Rideout to be Capt. of a comp.; Ens. R. Ramsay to be Lieut.; in succession to Thomas, dec.

26th N. I. Lieut. R. B. Lynch to be Adj. v. Robe trans. to the 27th N. I.

42d N. I. Ens. W. Jervis to be Lieut. v. Gibbs, dec.

45th N. I. Capt. T. Worsley to be Maj.; Lieut. H. E. Pigot to be Capt. of a comp.; Ens. R. Haldane to be Lieut.; in succession to Gough, prom.

46th N. I. Ens. H. W. Burt to be Lieut. v. Fraser, dec.

49th N. I. Brev. Capt. and Lieut. J. Mackintosh to be Capt. of a comp. v. Knight, dec.; Ens. F. C. Elwall to be Lieut. v. Macgregor, dec.; Ens. Ed. Lyon to be Lieut. v. Sandby, resigned.

53d N. I. Lieut. C. H. Wintour to be Adj. v. Heysham, dec.; Ens. G. Tylee to be Lieut. v. Heysham, dec.

55th N. I. Ens. J. Awdry to be Lieut. v. Clarke, resigned.

56th N. I. Lieut. A. Garstin to be Capt. of a comp.; Ens. B. W. D. Cooke to be Lieut.; in succession to Webb, retired.

61st N. I. Lieut. G. Cumine to be Adj. v. Tomlinson, prom.

63d N. I. Brev. Capt. and Lieut. J. H. McKinlay to be Capt. of a comp.; Ens. E. T. Erskine to be Lieut.; in succession to Ferguson, dec.

2d Er. N. I. Capt. J. Aubert to be Maj.; Brev. Capt. and Lieut. T. Williams to be Cap. of a comp.; and Ens. J. Robertson to be Lieut.; in succession to Simmons, prom.

*Bundlecund Provin. Batt.* Lieut. E. N. Townsend, 31st N. I., to be Adj. v. Irvine rem. to the Kumaon Local Batt.

*Hill Rangers.* Lieut. W. G. J. Robe, 58th N. I. to be Adj.

Oct. 28th. The undermentioned Cornets and Ensigns, lately arrived, are appointed to do duty with Corps, as follows:—*Cav.* Cornet J. Free to do duty with the 2d Ex. Lt. Cav. at Meerut; Corn. E. B. Conolly to do duty with the 6th Lt. Cav. at Muttra.—*Inf.* Ens. D. Nisbett to do duty with 6th Ex. Regt. at Dinapore; Ens. M. Kiitoe do. 6th Ex. Regt. at Dinapore; Ens. J. Ramsay do. 23d N. I. at Allypore; Ens. S. G. Johnstone do. 10th N. I. at Neemuch; Ens. C. J. Richardson do. 28th N. I. at Berhampore; Ens. G. Wilcox do. 28th N. I. at Berhampore; Ens. B. Marshall do. 6th Ex. Regt. at Dinapore; Ens. A. Macdonald do. 6th Ex. Regt. at do.; Ens. W. D. Littlejohn do. 20th N. I. at Barrackpore; Ens. T. G. Dundas do. 15th N. I. at Meerut; Ens. T. R. Dalrymple do. 11th Ex. Regt. at Benares; Ens. W. H. Rickards do. 6th Ex. Regt. at Dinapore.

#### REMOVALS AND POSTINGS.

*Art.* Maj. W. Battine from the 5th to the 4th Batt. v. McDowell from the 4th to the 5th; Capt. T. Timbrell from the 5th Batt. to the 4th Batt. v. Oliphant; Capt. H. Ralfe from the 4th Batt. to the 5th Batt. v. Timbrell; Capt. W. Oliphant from the 4th Batt. to the 5th Batt. v. Ralfe; 1st-Lieut. G. Twemlow from the 4th Batt. to the 5th Batt. v. Greene dec.; 1st-Lieut. H. Rutherford from the 2d Batt. to the 4th Batt. v. Twemlow; 1st-Lieut. H. M. Lawrence (new promotion) to the 2d Batt.; 1st-Lieut. R. F. Day from the 4th Batt. to the 2d Batt. v. J. W. Scott from the 2d Batt. to the 4th; 2d-Lt. C. S. Reid from the 4th Batt. to the 5th Batt.; 2d-Lieut. E. Sunderland, (late arrival) to the 2d Batt.; 2d-Lieut. E. P. Master, do. to the 6th Batt.;

*Inf.* Ens. W. Buller of the 19th to the 56th; Lieut. Col. Com. E. P. Wilson from 1st Europ. Regt. to 44th N. I.; Maj.-Gen. J. Cunningham from 44th N. I. to the 1st Europ. Regt.; Lieut.-Col. A. T. Watson from 52d N. I. to 42d do.; Lieut.-Col. T. Newton from 48th N. I. to 57th do.; Lieut.-Col. G. Sargent from 57th N. I. to 13th do.; Lieut.-Col. J. Pester from 13th N. I. to 48th do.

#### ADJUSTMENT OF RANK.

Dec. 16.—Lieut. C. Graham, 56th N. I., to rank from June 29, 1824, v. Clarke, resigned; Lieut. E. Meade, 55th N. I., from Aug. 29, 1824, v. Squibb, dec.; Capt. O. Phillips, 56th N. I., from June 29, 1824, v. Webbs, ret.; Lieut. R.

Neill, 56th N.I., from do., v. Phillips, prom.—Surg. A. Cocke, from June 16, 1823, v. Heaslop, ret.; Surg. G. Lamb, from July 1, 1823, v. Adamson, ret.; Surg. J. Rankin, M.D., from July 11, 1823, for the Augmentation; Surg. T. C. Brown, M.D., from Sept. 27, 1823, for do.; Surg. E. Macdonald, from Aug. 9, 1823, v. Ramsay, ret.; Surg. B. Hardtman, from Aug. 19, 1823, v. Gibson, dec.; Surg. A. Murray, M.D., from March 4, 1825, v. Gillman, ret.; Surg. J. Hall, from Oct. 14, 1825, v. Hamilton, ret.; Surg. D. Harding, from Nov. 26, 1825, v. Brown, ret.; Surg. J. Nicoll, from Jan. 6, 1825, v. Chalmers, ret.; Surg. C. Renny, from Mar. 8, 1825, v. Russell, ret.; Surg. J. B. Clapperton, from April 17, 1825, v. Napier, dec.; Surg. R. Primrose, from July 22, 1825, v. Proctor, dec.

## FURLONGHS.

*To Europe.*—Lieut.-Col. J. Alexander, 6th Ex. N.I.; Capt. T. M. Taylor, 5th Lt. Cav., for health; Lieut. C. J. C. Collins, 40th N.I., for do.; Maj. E. C. Browne, 44th N.I., for do.; Capt. J. Craigie, 37th N.I., for do.; Lieut.-Col. Reid, 2d Lt. Cav., for do.; Lieut.-Col. Command. D. McLeod, C.B., of the 17th N.I., for do.; Lieut. B. Boswell, 2d N.I., for do.; Lieut. A. Watt, 27th N.I., for do.; Capt. W. Webster, 59th N.I., on private affairs; Lieut.-Col. Commandant T. Garner, 13th N.I.; Lieutenant H. Fowle, 44th N.I., for health; Lieut. G. C. Holroyd, 57th N.I., for do.; Lieut.-Col. Command. A. Richards, 34th N.I.; Lieut. J. G. M. Horne, 2d Ex. N.I., for health; Ens. Sinclair, 10th N.I., on the Madras Estab., for do.

*To New South Wales.*—Lieut. A. Garstin, 56th N.I., on account of his health, for twelve months.

*To the Isle of France.*—Lieut. J. B. Neufville, 42d N.I., Dep.-Assist. Quartm. Gen., for 8 months, on account of his health.

*To Sea.*—Capt. J. F. Paton, of the Engineers, for 12 months.

## MEDICAL APPOINTMENTS.

Oct. 28.—Assist. Surg. J. Duncan, to the medical charge of the civil station of Agra, v. Burnett, dec.; Assist.-Surg. J. Hutchinson, to perform the med. duties of the civil station of Midnapore, v. Clapperton, prom.—Nov. 7. Assist.-Surg. Mackinnon, to the med. charge of the 12th Ex. N.I.; Capt. J. Mackenzie, 3d Lt. Cav., to be 2d Assist. De L'Etang; Lieut. C. Manning, 30th N.I., to be a Sub-Assist. in succes. to Mackenzie.—11. Surg. W. P. Muston, to be Garr.-Surg. of Fort William, v. Swiney.—Dec. 2. Mr. J. Brown, surg., to do duty temp., as an Assist.-Surg. on this Estab.; Assist. Surg. Ronald, of the Bengal Med. Staff, to be Assist.-Store-keeper; Assist.-Surg. Ronald, of do., is app. to the medical charge of the Flotilla at Prome; Assist.-Surg. J. Barker is transferred from the civil station of Balasore to that of Purneah; Assist.-Surg. D. Stewart, M.D., is app. to the med. charge of the civil station of Ghazee-pore.—16. Assist.-Surg. W. Watson, to be Surg. v. Heaslop, ret.; Assist.-Surg. J. Allan to be Surg. v. Hamilton, ret.

## MEDICAL FURLONGHS.

*To Europe.*—Superin.-Surg. C. Robinson, on account of his health; Surg. Atkinson, on private affairs; Surg. John Swiney, on ditto.

## MADRAS.

## CIVIL APPOINTMENTS.

*Fort St. George.*—Sept. 2. Mr. R. Paternoster, Assist. to the Principal Collector and Magis. of Malabar.—Nov. 11. Mr. J. C. Scott, Assist. to the Principal Collector and Magis. of Malabar.—18. Mr. J. A. Casamajor, app. to officiate as Resident in Mysore.

## BOMBAY.

## CIVIL APPOINTMENTS.

*Bombay Castle,* Nov. 30, 1825.—Mr. J. Elphinstone, Collector of Customs and Town Duties.—Dec. 15. Mr. W. J. Graham, Second Assist. to the Collector in Candeish; Mr. J. Erskine, third do., to do, do.

### MILITARY APPOINTMENTS.

**Bombay Castle, Oct. 29.**—Ens. W. N. Ralph to act as interp. to 2d, or Queen's Royals.—Nov. 3. Lieut.-Col. F. H. Pierce, of Artil. to be Commis. of Stores at the Presid. v. Hodgson, res.—9. Lieut. Mundy, app. Aid-de-Camp on the Personal Staff of the Commander-in-Chief, v. Maj. Kelly, rem. to the Gen. Staff.—14. Lieut. W. Macan, 5th N.I., to be Adj. v. Farrell, res.; Lieut. A. Burnes, 21st Regt. to be Persian Interp. to the Force at Booj.—23. Capt. C. F. Hart, Dep.-Assist. Quartm.-Gen. to be Assist.-Quartm.-Gen.; Lieut. J. Swanson, 19th N.I., to be Dep.-Assist. Quartm.-Gen. v. Hart; Lieut. R. M. M. Cooke, to be Adj. to the 19th Regt. v. Swanson; Maj.-Gen. Wilson, the senior officer on the Staff, to be Commander of the Forces, v. Sir C. Colville, res.; Capt. J. W. Aitchison, attached to the Baroda Subsid. Force, to be Dep.-Adj.-Gen. of the Army, v. Tucker; Capt. T. Leighton, to be Assist.-Adj.-Gen. to the Forces, v. Aitchison; Capt. M'Intyre, 19th N.I., to act as Assist.-Adj.-Gen. Guicawar Subsid. Force; Capt. G. B. Aitchison, 6th N.I., to be Maj. of Brig. to the Forces in Cutch.—24. Lieut. W. Cavaye, 21st N.I., to be Assistant-Quartmaster-General to the Cutch field force; Lieutenant-Colonel J. Taylor, 9th N.I., to command a Brig. from the Poona Division under orders for field service; Capt. M. A. Stanley, H.M.'s 20th Regt., to be Brig. Maj.; and Lieut. H. C. Teasdale, 1st Gren. N.I., to be Quartm. of Brig.—Dec. 2, 1825. Capt. T. Gordon, of the 4th N.I., Maj. of Brig. in the Presid. Div. of the Army, to act as Mil. Sec. to Maj.-Gen. S. Wilson, commanding the Army in chief; Lieut. A. R. Wilson, 13th N.I., to officiate as Maj. of Breg. in the Presid. Div., during Capt. Gordon's employment as Mil. Sec.—3. Lieut. R. J. Littlewood, to act as Barrack Mast. at Surat, during the absence of Lieut. Thomas; Lieut.-Col. J. S. R. Drummond, to command the Surat Div. of the Army during the absence of Lieut.-Col. Corsellis.—9. Lieut. A. R. Wilson, 13th N.I., to be Maj. of Brig. to the Forces, v. Matthews, dec.; Capt. Foy to the temp. charge of the Depot of Instruction at Matongah; Lieut. Bell, 9th N.I. to act as Quartm. of Brig. until further orders; Lieut.-Col. Hessman, of the Artil. to com. the Presid. Div. of the Army; Lieut.-Col. H. Kennedy, do., Surat Division; Lieut.-Col. Hodgson is app. to com. the Regt. of Artil., and will take his seat at the Mil. Board.—10. Capt. J. Laurie, to be Comis. of Stores to the Surat Div. of the Army, v. Watson; Capt. S. J. C. Falconer, to be ditto to the Pres. Div., v. Laurie.

### PROMOTIONS.

*1st Reg. Lt. Cav.* Lieut. C. J. Conyngham to be Adj., v. Mylne prom.  
*1st Bombay Europ. Regt.* Lieut. J. Hobson to be Quar.-Mast., v. Watts, resigned; Lieut. J. Watts to be Capt. of a comp., v. Taylor, ret.; Super.-Lieut. A. Ore to be Lieut., v. Watts.  
*3d N. I.* Ens. W. A. Wroughton to be Lieut., v. Marjoribanks, dec.  
*5th N. I.* Ens. H. M. Duncan to be Lieut., v. Matthews, dec.  
*6th N. I.* Lieut. W. Keys to be Capt. of a comp., and Ens. J. H. Graham to be Lieut., v. Challon, dec.  
*11th N. I.* Sen. Lieut. H. Liddell to be Capt.; and Ens. G. J. Lloyd to be Lieut.;—in succession, Richards, dec.  
*16th N. I.* Ens. C. A. Stewart to be Lieut., v. Whittaker, dec.  
*21st N. I.* Ens. J. N. Prior to be Lieut., v. Carr, dec.  
*Engineers.* Lieut. T. B. Jervis to be Capt., v. Remon, dec.

### MARINE APPOINTMENTS.

Nov. 17.—Capt. W. T. Graham, Marine Store-Keeper.—24th. Lieut. R. Moresby, Dep. Marine Store-Keeper; Capt. P. Maughan, Act.-Dep. Store-Keeper.

### MEDICAL APPOINTMENTS.

Nov. 11.—Surg. S. Sproule to be 1st Member, and Surg. T. T. Mardon, 2d Member of the Medical Board, v. Phillips, retired.—13th. Assist.-Surg. O. H. Davis to be Assist. Gar. Surg. and Dep. Med. Storekeeper at the Presid.—22d. Superin.-Surg. J. Milne to be 3d Member of the Med. Board.—29th. Surg. D. Crow to be Superin.-Surg. v. Milne, prom.; Assist.-Surg. Barra to

de Surg., v. Craw.—Dec. 3d. Assist.-Surg. D. Ormond to officiate as Assist. to the Civil and Garrison Surg. (temp. app.); Assist.-Surg. J. Howison is app. to the med. duties of the Lunatic Asylum at Colaba, v. Barra, prom.—12th. Assist.-Surg. Inglis, M.D., to perform the med. duties of the Residency of Sattarah. (temp. app.)

## BOMBAY.

## FURLONGHS.

*To Europe.*—Capt. J. W. Watson, of the Artil., for three years, on sick cert.; Ens. C. S. Thomas, 10th N. I., for three years, on do.; Maj. S. R. Strover, for three years, on private affairs; Capt. W. Foy, for do., on do.; Ens. T. E. Taylor, 12th N. I., for do., on sick cert.; Lieut. K. Gloag, 2d N. I., on account of health, for three years; Lieut. W. Wade, 1st Europ. Regt., do. do.; Lieut.-Col. Tucker, Dep.-Adj.-Gen.; Capt. T. Mantell, 48th Madras N. I., for three years, on sick cert.; Lieut.-Col. Corsellis, C.B., on do.; Maj. B. Spry, of the Madras Estab., for three years, on do.; Brig.-Gen. Morrison, for two years, on do.

## KING'S FORCES IN INDIA.

[From the Indian Gazettes.]

## BENGAL.

## MILITARY APPOINTMENTS.

*Head-Quarters, Calcutta, Nov. 19.*—Captain Poyntz, 67th Ft., to take charge of the office of Maj. of Brigade to the King's Troops until further orders; Lieut. P. Hennessy, from 67th Ft., to be Lieut. in 20th do., v. Wood, who exch.; Lieut. A. Campbell, (the first,) to be Adj., v. Snodgrass, who has resigned the Adj. only; Ens. A. Mackworth, from 48th Ft., to be Cornet in 13th Lt. Drag., v. Evered, who exch. rec. the dif.; C. R. Macan, Gent., to be Ens. in 54th Ft., v. Clark, prom.—23. Lieut. Stewart to act as Quart.-Mast. to 46th Ft., v. Madigan, dec.; Lieut. Sutherland to act as Adj. to 13th Lt. Inf. (temp. app.)—25. Capt. Whittle, 59th Ft., to take charge of the Invalids proceeding to England.

## MEDICAL APPOINTMENTS.

Nov. 23.—Assist.-Surg. Perrott to the medical charge of the 41st Regt.; Assist.-Surg. Henderson, of the 13th Lt. Inf., and Assist.-Surg. Griffiths, do., 47th Regt.

[From the London Gazettes.]

*4th Light Drags.*—Lieut. G. Paribby to be Capt., v. Burrowes, dec.; Cornet A. E. Bromwick to be Lieut., v. Murray, dec.; G. A. Brownlow, Gent., to be Cornet, v. Bromwich.

*11th Lt. Dr.*—Capt. J. Tomlinson, from the 13th Lt. Dr., to be Capt., v. Wetherall, who exchanges; Cornet W. Handley to be Lieut. by purch., v. Stewart, prom.; C. R. Hyndman, Gent., to be Cornet, v. Handley.

*13th Lt. Dr.*—Capt. R. Brunton to be Maj. by purch., v. Higgins, prom.—To be Capt.: Capt. C. Wetherall, from the 11th Lt. Dr., v. Tomlinson, who exchanges; Lieut. J. H. Maitland, by purch., v. Brunton.—To be Lieuts.: Cornet J. G. Evered, v. Lang, prom. in 8th Ft.; Cornet T. F. Hart, v. Brown, prom.

*16th Lt. Dr.*—Cornet E. Guest to be Lieut. by purch., v. Armstrong, prom.; Lieut. J. Douglas, from the 81st Ft., to be Lieut. by purch., v. Smyth, prom.; B. N. Everard, Gent., to be Cornet by purch., v. Guest.

*1st Regt. of Foot.*—Capt. D. Deuchar to be Maj. by purch., v. Graham, who retires.—To be Capt.: Lieut. J. Bland, without purch.; Lieut. J. V. Fletcher, by purch., v. Deuchar.—To be Lieuts.: Ens. J. W. Butt, without purch.; Ens. and Adj. J. Mullen to have the rank; Lieut. A. L. Macleod from half-pay, v. S. Sargent, whose app. has not taken place; Ens. A. H. Ormsby, v. Williamson, dec.; Ens. T. M. Byrne, v. Bichner, dec.; Lieut. W. M'Pherson, from 2d West India Regt., v. Bland; Ens. A. M'Kenzie, by purch., v. Fletcher.—To be Ensigns: Ens. J. Ritchie, from 1st Royal Vel.

Bat.; Ens. F. Carr, from h. p. 3d West India Regt., v. Ormsby; W. D. Bedford, Gent., by purch., v. Mackenzie, prom.; A. M. Wilmot, Gent. by purch., v. Campbell, app. to the 4th Ft.; F. Hoskins, Gent., without purch., v. Butt; R. Going, Gent., do., v. Byrne.

3d *Ditto*.—Major C. W. Wall to be Lieut.-Col.; Brevet Lieut.-Col. C. Cameron to be Major, v. Wall. To be Captains: Brev.-Major A. Bowen, from h. p. 81st Foot; Lieut. W. Woods, v. Camerou; Capt. J. Daniel, from the Riding Estab.—To be Lieutenants: Ens. G. L. Christie; Ens. D. Stewart; Lieut. H. C. Amiel, from h. p. 17th Lt. Dr.; Lieut. N. Ashurst, from the 46th Foot; Lieut. P. Mackie, from the 89th do.; Lieut. W. Cain, from the 14th do.; Lieut. P. Dore, from h. p. 24th do.; Lieut. H. A. Morshead, from the 52d do.; Ens. G. H. Moore, from the 94th do.; Ens. J. Carr, from the 52d do.; Ens. J. Walsh, from the 35th do.; Ens. J. B. Wheatstone, from the 53d do.; F. Shiel, Gent., late Lieut. of the 7th do., v. Woods; Ens. M. Barr, by purch., v. Croasdaile, prom.—To be Ensigns: Ens. J. Hanna, from the 1st R. Vet. Bat.; R. Turtton, Gent., by purch., v. Christie; W. Rainey, Gent., without do., v. Stewart; P. de Blaquiére, Gent., by do., v. Barr; Lieut. S. Ridd, from a. p. 60th F., to be Lieut., v. Wheatstone, app. to 53d F.

6th *Ditto*.—Lieut. T. Duke to be Capt., v. Cox, dec.; Ens. W. Warrington, from the 67th F., to be Lieut., v. Duke.

13th *Ditto*.—Lieut. Hon. F. Howard, from half-pay, to be Lieut., v. Wilson, app. to the 52d F.; Serj.-Major W. Hutchins to be Adj. with the rank of Ens.; J. Fenton, prom.; 2d Lieut. C. White, from the Ceylon Regt., to be Ens., v. Pearson, dec.

14th *Ditto*.—To be Lieutenants: Ens. R. Budd, by purch., v. White, app. to 32d Foot; Lieut. W. Moir, from h. p. 37th do., v. Cain, app. to 3d do.

16th *Ditto*.—Ens. R. J. N. Kellett, from h. p. 24th F., to be Ens., v. Prettyohn, app. to the 53d F.; T. Dowglass, Gent., to be Ens. by purch., v. Kellet, prom.

18th *Ditto*.—Capt. A. O. Dalgleish, from the 28th F., to be Capt., v. French, who exch.; Ens. R. Dunne to be Lieut., by purch., v. Moore, prom.; F. Wigston, Gent., to be Ens. by purch., v. Dunne.

20th *Ditto*.—Ens. R. M'Dermott to be Lieut. without purch., v. Moore, app. to the 15th F.; F. H. Stephens, Gent., to be Ens. by do., v. M'Dermott.

39th *Ditto*.—Ens. C. H. Marcheaux to be Lieut., v. Gregg, dec.; T. R. Burrows, Gent., to be Ens., v. Wilson, dec.

31st *Ditto*.—Ens. W. M. Wetenhall to be Lieut. by purch., v. Ruxton, prom.; I. C. Stock, Gent., to be Ens. without do., v. Minchin, prom.

33d *Ditto*.—W. S. Norton, Gent., to be Ens. by purch., v. Talbot, app. to 13d F.

39th *Ditto*.—To be Captains: Lieut. J. H. Law, v. Birch, dec.; Brev.-Major N. K. Rains, from the 51st F., v. Woodward, who exch.—To be Lieutenants: Ens. W. H. Minchin, from the 31st F., v. Law; Ens. J. J. Lowth, v. Turrens, dec.—To be Ensigns: T. Jenkins, Gent., v. Malen, whose app. has not taken place; A. Whittle, Gent., v. Lowth.

41st *Ditto*.—Capt. J. Corfield, from the 77th F., to be Capt., v. Burrowes, dec.; Second Lieut. L. Hay, from the 60th F., to be Lieut. by purch., v. Verturne, prom.; Ens. J. G. Inglis, from 54th F., to be Lieut. by purch., v. Gray, who retires.

44th *Ditto*.—To be Lieutenants: Ens. E. C. Mathias, v. Gledstapes, dec.; Ens. E. H. Clarke, from the 4th F., by purch., v. Langmead, prom.; Ens. A. Browne, from 18th F., by purch., v. Hawkins, prom. in 80th F.; D. Young, Gent., to be Ens., v. Mathias.

45th *Ditto*.—Ens. J. Du Vernet to be Lieut. by purch., v. Geddes, prom.; J. H. Clarke, Gent., to be Ens. by purch., v. Du Vernet; A. M. Tulloch, Gent., to be do. by do., v. Lewis, prom. in 89th F.

46th *Ditto*.—Capt. R. Martin, from the 3d R. Vet. Bat., to be Capt. v. Miller, app. to the 24th F.—To be Lieutenants: Lieut. G. J. Bruce, from the 1st R. Vet. Bat., v. Gleeson, app. to the 90th F.; Lieut. E. W. R. Antrobus, from



h. p. 13th F., v. Ashurst, app. to the 3d F.; C. W. St. John Wall to be Ens. by purch., v. Legh, prom.

47th *Ditto*.—Lieut. A. Campbell, from h. p. 77th F., to be Lieut., v. B. O. D. Bennett, who exch.

48th *Ditto*.—Major J. Taylor to be Lieut.-Col., v. Erskine, dec.; Brev.-Maj. J. T. Moriset, to be Major, v. Taylor; Lieut. W. Reed to be Capt., v. Moriset. To be Lientenants; Lieut. E. Griffius, from the 2d R. Vet. Bat., v. Smith, app. to the 60th F.; Ens. W. A. M'Cleverty, v. Reed; Ens. W. Bell, v. Vincent, dec.; J. A. Erskine, Gent., to be Ens., v. Bell.

49th *Ditto*.—Lieut. R. de Lisle to be Capt. by purch., v. Campbell, prom.; Ens. H. Keating to be Lieut. by purch., v. De Lisle; C. Tyssen, Gent., to be Ens. by purch., v. Vincent, prom.; Ens. B. Vincent to be Lieut. by purch., v. Grubbe, prom.

54th *Ditto*.—Lieut. E. Wells, from the 2d R. Vet. Bat., to be Lieut., v. Dalgety, app. to the 70th F.; Ens. H. R. Clarke to be do., v. Fenton, dec.; — Bayley, Gent., to be Ens., v. Clarke; Ens. R. Burton to be Lieut. by purch., v. Crofton, who retires; Lieut. F. K. Tincombe, from h. p. 30th F., to be do., v. Thomas, app. to the 26th F.; C. Daintry, Gent., to be Ens. v. Inglis, prom. in 41st F.

59th *Ditto*.—Lieut. J. H. Arnold, from 2d R. Vet. Bat., to be Lieut., v. Leslie, app. to 72d F.; Ens. W. Fuller to be do. by purch., v. Amherst, prom.; R. B. Yates, Gent., v. Fuller.

67th *Ditto*.—R. A. Gosset, Gent., to be Ens. without purch., v. Warrington prom. in the 6th F.

69th *Ditto*.—Capt. E. Monins, from 52d Foot, to be Capt., v. J. Silver, who ret. upon h. p., rec. the diff.; H. B. Bennett, Gent., to be Ens., v. Ford, dec.

89th *Ditto*.—Lieut. W. Gorse, from h. p. W. India Regt., to be Lieut. v. Palmer app. to 65th F.; Ens. R. Lewis, from 45th Foot, to be Lieut. by purch., v. Macdonald app. to the 80th do.; Ens. J. M. Russell, from 12th F., to be do. without purch., v. Mackie, app. to the 3d F.

97th *Ditto*.—Lieut. V. H. Mairis, from h. p. 6th Drag. Guards; Ens. W. T. Stannus, by purch., v. Macdonald, prom.

*Ceylon Regt.*—To be First Lieuts.: Lieut. T. Nowlan from 66th F.; Lieut. H. Nason from h. p. 8th West India Regt.; 2d Lieut., H. V. Kempen by purch., v. Dempsey, who retires; A. Irvine, Gent., to be 2d Lieut. without purch., v. T. Mylius, prom.

*Cape Corps (Cavalry)*.—Cornet J. Sargeant to be Lieut. by purch., v. Bid. prom.; W. Varr, Gent., to be Cornet by purch., v. Brown app. to 16th Lt. Drag.

#### MEDICAL PROMOTIONS.

16th *Lt. Drag.*—Assist. Surg. Monat, M.D., from 13th F., to be Assist.-Surg., v. Malloch prom.

13th *Foot*.—Hosp.-Assist. J. Robertson, M.D., to be Assist.-Surg., v. Monat.

18th *Ditto*.—Assist.-Surg. T. Lewis, M.D., from the 3d R. Vet. Batt. to be Assist.-Surg.

40th *Ditto*.—Hosp.-Assist. J. M'Kenzie, M.D., to be Assist.-Surg.

*Allowed to dispose of their half-pay.*—Capt. W. Kelly, 40th F.; Capt. Hon. W. Ogilvy, Cape Regt.; Lieut. G. Dowglass, 89th F.; Lieut. W. R. Kaevelt, 11th Lt. Drag.

#### FURLOUGHS.

*To Europe.*—Capt. Kettlewell, 30th F., on med. cert. for two years; Capt. Jackson of the Queen's Royals, on urgent private affairs, for two years; Ens. Taylor, 46th F., for two years, on private affairs; Brig.-Gen. Mackellar, Lieut.-Col. 1st Royal Regt., for two years, on med. cert.; Capt. Moore, 45th F., for two years, do.; Capt. Otway, 46th F., do. do.

*To the Cape.*—Major Bristow, Brig.-Maj., to the King's Troops, for health, for one year.

## BIRTHS, MARRIAGES, AND DEATHS.

## CALCUTTA.

*Births.*—Oct. 29. The lady of J. Tytler, Esq., Gar. Surg., of a son.—30. The lady of Capt. E. Hughes, of the ship *Lord Amherst*, of a son.—Nov. 6. At Dum Dum, the lady of Lieut. Nanrenen, of Artil., of a daughter.—7. The lady of G. Richardson, Esq., C. S., of a son.—12. The lady of the late A. Dorret, Esq., of a son.—13. At Barrackpore, the lady of H. Lowther, Esq. C. S., of a daughter.—14. The lady of J. C. Burton, Esq., of a daughter.—15. The lady of A. Pereira, Esq., of a daughter.—16. The lady of C. W. Welchman, Esq., M. D., of a son.—23. The lady of C. A. Cavorke, Esq., of a daughter.—27. The lady of Capt. J. F. Lewis, 28th N. I., of a daughter.—Dec. 1. The lady of F. B. Smith, Esq., of a son.—3. At Chowringhee, the lady of Capt. Crossley, 62d N. I., of a son.—4. The lady of Maj.-Gen. Sir T. McMahon, Bart., of a son.—10. The lady of Mr. W. Hewett, M. D., Assist. Gar. Surg., of a son.—18. The lady of Major Craigie, of a daughter.—20. At Garden Reach, the lady of R. W. Poe, Esq., of a daughter.—23. At Dum Dum, the lady of Lieut. D'Oily, of a son.—26. The lady of Lieut. Ripley, 2d Europ. Regt., of a son.

*Marriages.*—Sept. 22. Capt. H. Forbes, 45th Regt., to Margaret, youngest daughter of Major Audian, 16th Regt.—Oct. 10. C. Hogg, Esq., to Miss Lucy Marshall.—Nov. 1. Capt. R. Wemyss to Miss Amy Beauland.—16. Lieut. Deare, 69th N. I., to Anne, eldest daughter of P. Hughes, Esq., London.—19. W. A. Barton, Esq., Purser of the ship *Lady Campbell*, to Amelia Watson, eldest daughter of the late Capt. J. L. Garrick.—Dec. 20. J. Dunbar, Esq., C. S., son of Sir A. Dunbar, Bart., to Anna Sophia, 2d daughter of the Rev. G. Hagar, of Elgin, N. B.—23. Mr. G. Kallonas, to Louisa, youngest daughter of the late J. Baitye, Esq. C. S.

*Deaths.*—Oct. 10. Lieut. J. Craig, of the Bombay Mil. Estab.—31. Capt. J. W. E. Taylor, late of the Country Service, aged 39.—Nov. 10. Hon. John Fendall, Esq., Mem. of the Supreme Council.—23. Capt. W. Freeman, of the ship *Hero of Maloun*, aged 31.—Dec. 16. Lieut. H. D. Carr, aged 23.—18. Lieut.-Col. T. Evans, H. M.'s 38th Regt., aged 47; Ens. H. Sargeant, H. M., 54th Regt., aged 23.—19. Capt. J. R. Knight, 49th N. I.

## MADRAS.

*Births.*—Oct. 11. The lady of Assist.-Surg. Searle, of a daughter.—31. The lady of J. Macleod, Esq., of a daughter.—Nov. 1. The lady of Capt. J. Chisholm, Madras Artillery, of a son.—9. The lady of Capt. Sim, Superinten. Engin., of a daughter.—15. In Fort St. George, the lady of Lieut. O'Connell, Commiss. of Ord., of a daughter.

*Marriages.*—Oct. 29. Lieut.-Col. Bowes, H. C. Madras Estab., to Miss A. M. Parker.—Nov. 29. J. Goldingham, Esq. Madras C. S., to Frances Ingram, eldest daughter of the late M. Dalrymple, Esq., of Fordel.

*Deaths.*—Oct. 23. Mr. P. J. Brady, son of the late Lieut. P. Brady, of the Carnatic Ordnance, aged 16.—Nov. 22. Mr. W. Gore, Dep. Assist. Commis. of the Ord. Depart. at Hyderabad, aged 57.—25. Anna Maria, the lady of F. Lewis, Esq.

## BOMBAY.

*Births.*—Nov. 1. The lady of Lieut. D. W. Fraser, H. H., the Nagpore Rajah's service, of a daughter.—19. The lady of Lieut. W. Macdonald, H. C. Marine, of a son.

*Marriages.*—Nov. 14. Lieut. M. Law, Artil., to Fanny, daughter of Major-Gen. Wilson; Mr. J. Stafford, H. C. service, to Miss Munt, daughter of Mr. J. Munt, Esq., H. C. Marine service.—24. J. J. Griffiths, H. M. 6th regt., to Emma, only daughter of Lieut.-Col. Scott, H. M. 6th regt.

*Deaths.*—Oct. 16. Capt. J. J. Gordon, 35th N. I.—Nov. 6. Capt. J. G. Richards, 11th N. I., aged 32.—20. Capt. G. Challon, 16th N. I., aged 43.—

26. At Mahim, the Rev. Don M. de Montee Faria, Vicar of the Church of S. Miguel.—29. H. F. Dent, Esq., only son of W. Dent, Esq. of Brokendon Bury, Herts, aged 25.

#### OUT STATIONS.

*Births.*—Sept. 4. At Port Louis, Isle of France, the lady of Capt. T. C. Squires, H. M.'s Lt. Inf., of a daughter.—5. At Mhow, the lady of Capt. R. S. Sutherland, 13th regt., of a daughter.—10. At Belmont, Mangalore, the lady of M. Lewin, Esq., of a son.—16. At Saugor, the lady of Lieut. H. Forster, commanding Rungpore Local Horse, of a son.—19. At Meerut, the lady of Capt. F. Hodgson, 35th N. I., of a daughter.—Oct. 2. At Cawnpore, the lady of Lieut. Cureton, H. M.'s 16th Lancers, of a daughter.—25. At Bareilly, the lady of W. P. Dick, Esq., Judge and Magistrate, of a son.—27. At Muttra, the lady of Capt. J. Angelo, 3d Lt. Cav., of a son.—28. At Allahabad, the lady of Major J. H. Cave, commanding 10th Ex. N. I., of a daughter.—28. At Arcot, the lady of J. Nisbet, Esq., Madras, C. S., of a daughter.—Nov. 2. On the Jumna river, the lady of Capt. W. Turner, Fort Adj. at Agra, of a son; at Ahmednuggur, the lady of S. Marriott, Esq., of a son.—6. At Belgaum, the lady of Capt. J. Wallace, 46th N. I., of a son.—21. At Chittagong, the lady of W. Graham, Esq., M. D., of a daughter.—26. At Wallajahbad, the lady of Lieut. G. Brady, 23d N. I., of a son.—29. At Bhauleah, the lady of T. G. Vibart, Esq., C. S., of a son.—28. At Meerut, the lady of Lieut. Bingley, Horse Artillery, of a son.—28. At Cawnpore, the lady of H. Vincent, Esq., 16th Lancers, of a daughter; At Burdwan, the lady of J. R. Hutchinson, Esq., C. S., of a son.—Dec. 13. At Gorruckpore, the lady of Capt. A. Dickson, 60th N. I., of a daughter.—11. At Cawnpore, the lady of Major W. W. Davis, of a son; at Lucknow, the lady of G. Baillie, Esq. Surgeon, of a daughter.—20. At Dinapore, the lady of Lieut. C. Burrowes, 45th N. I. of a son.

*Marriages.*—Oct. 8. At Cochin, Captain R. Macleod, 25th N. I., and Dep.-Assist.-Commis.-Gen., to Miss S. J. Dirks.—10. At Quilon, Capt. L. W. Watson, 17th Regt., to Mrs. E. Macleod.—21. At Serrampore, R. Bell, Esq., of Ramnagar, to Adolphina, 3d daughter of the late N. Rabeholm, Esq., Danish Civil Service.—Nov. 1. At Zillah Sarun, G. Taylor, Esq., to Harriet Eliza, eldest daughter of H. Hill, Esq.—2. At Saharunpore, Capt. F. Young, commanding the Sirmoor Bat. at Deyrah in the Dhoon, to Miss J. J. Bird, youngest daughter of Lieut.-Col. Bird; At Kaira, A. Graham, Esq., Assist.-Surg., to Laura, fourth daughter of J. Williams, Esq., Essex.—9. At Purneah, J. Barnes, Esq., to Miss G. Cummings; at ditto, R. B. Perry, Esq., to Miss E. S. Goullett.—10. At Bellary, the Rev. J. Hauds, Mission., to Miss M. Dale.—14. At Bangalore, Lieut. R. Mitchell, 6th N. I., to Miss Jane Saurel.—15. Assist.-Surg. — Buxar, to Maria, second daughter of Lieut.-Col. Innes, C.B., 39th N. I.—22. At Arcot, Lieut. C. G. T. Chauvell, to Marianna, daughter of the late B. Compertz, Esq., of Brighton.—24. At Chingleput, Capt. Stewart, 2d Europ. Regt., to Mrs. Bowness; at Coel, Lieut. and Adj. D. E. M'Kay, Horse Artil., to Agnes Anne, fourth daughter of W. Spottiswood, Esq., Perthshire.—29. At Ahmednuggur, Lieutenant R. Bulkley, 20th N. I., to Sybella Jane, eldest daughter of Lieut.-Gen. Bell, Madras Estab.

*Deaths.*—Sept. 3. At Mangalore, Jane Mary, aged 2 years, daughter of Capt. Locke, 50th N. I.—5. At Allepee, in Travancore, Lewis, the infant son of Capt. R. Gordon, Bombay Engin.—17. At Pondicherry, Madame Mariette, deeply regretted.—27. At Baugulpore, Lieut. Col. Swinton, late in command of the Pioneer Corps.—Oct. 5. At Diamond Harbour, E. N. Briggs, 3d Officer of the H. C. ship *Minerva*, aged 24.—7. At Nusseerabad, Arabella, the lady of Capt. G. Boyd, 50th N. I.—10. At Meerut, Capt. J. J. Gordon, 35th N. I.—11. At Tranquebar, Louisa, the lady of Capt. Harris, aged 29.—14. At Nellore, G. Wilson, Esq., Garr. Assist. Surg.—16. At Quilon, Mr. W. Bredin, Dep. Commis. of Ord. at that station, aged 52.—31. On the Arracan River, on board the ship *David Clark*, Lieut. W. Fraser, 54th Foot.—

Nov. 2. At Rungpore, Assam, Lieut. W. Fraser, 46th N.I.; on the Arracan River, Lieut.-Col. W. Baker, 43d N.I.; at Prome, Ens. R. K. Macleod, 43d N.I.—6. At Arracan, on board the *Bengal Merchant*, Capt. P. B. Husbaud, 87th Foot.—11. At Bhooj, R. Martin, Esq., Assistant-Surgeon of the Bombay Establishment; at Mahatee, near Arracan, Ensign Savage, 10th Madras N.I., Acting Quarter-master and Interp.—13. At Jaulnah, Capt. H. Cazalet, 40th N.I.—15. At Madura, the infant daughter of Lieut. P. Hay, 22d N.I.—16. At Luckipore, F. D. Gordon, Esq., H. C.'s C. S.; at Goa, his Excel. Don Manuel da Camara, Viceroy and Capt. Gen. of Portuguese India, aged 45.—19. In Camp, at Jooreau, near Bhooj, Lieut. R. Carr, 21st Bombay N.I.—22. At Arracan, Lieut. W. Moore, 54th N.I., aged 27.—23. At Moorsbadabad, Lieut. and Adj. Gibbs, 43d N.I.; at Mangalore, Eliza, youngest-daughter of Capt. Pickering, 50th N.I.—29. At Asseerghur, Ens. R. Phillpps, 7th N.I., aged 18, eldest son of Surg. B. Phillpps, Bombay Estab.—30. At Bellary, the lady of Lieutenant Metcalfe, 4th N.I., Fort Adjutant at that station; at Chittagong, Lieut. J. G. McGregor, 49th N.I., aged 22.—Dec. 2. At Patna, the lady of J. Sandford, Esq., C.S.; at Arracan, Capt. J. Grindley, H.M. 54th Regt.—10. At Baujetty, near Moorsbadabad, Amelia Martha, the lady of H. T. Travers, Esq., Bengal C. S.; at Arracan, Lieut. E. Lyon, 49th N.I.—14. At Cawnpore, Lieut. S. Boileau, 32d N.I.

## EUROPE.

*Births.*—April 2. The lady of G. C. R. Collins, Esq., 16th Lancers, of a still-born daughter.—3. The lady of Dr. Clark, Physician to the Forces, of a daughter.—5. At Aberdeen, the lady of Capt. J. Shepherd, of the H. C.'s service, of a son.—8. At London, the lady of Lieut.-Col. Penderleath, of a son.—13. At Armagh, the lady of Maj. W. Baird, 86th Foot, of a son.—16. The lady of Lieut.-Gen. Sir W. Anson, of twins, a son and daughter.—Lately, at Plymouth, the lady of Lieut.-Col. Sir E. K. Williams, K.C.B., of a daughter.

*Marriages.*—March 28. At Bath, C. Keating, Esq., Madras Mil. Service, to Emma, third daughter of J. Hall, Esq.—April 12. At Tixall, Staffordshire, Capt. C. Chichester, 60th Foot, to Miss Constable, eldest daughter of Sir T. Constable. Lately, at Edinburgh, Capt. Cumming to Miss J. Lane, niece of the late Sir E. Impey.

*Deaths.*—March 5. At Toulouse, Madame La Perouse, widow of the celebrated naturalist of that name.—16. At Magnera, Mrs. Ann Mulholland, at the advanced age of 122 years.—20. Mr. G. W. Kippen, son of the late Capt. G. Kippen, Hon. E. I. Co.'s Service.—April 7. At Tours, in France, J. M. Farewell, Esq., aged 29, of the home estab. of the E. I. Company.—16. At Camberwell, Mr. W. Ferren, late of the H. E. C.'s Service. Lately, Col. Delancey Barclay, of the Gren. Guards, and Aid-de-camp to his Majesty. At Halle, the celebrated Oriental Professor, Vater. At Douglas, Isle of Man, Lieut.-Col. Nicholls, late of the 97th Foot, aged 49. On his passage to St. Helena, Brig.-Gen. Morrison, son of the late Gen. Morrison, of Worcester.

## SHIPPING INTELLIGENCE.

## ARRIVALS FROM EASTERN PORTS.

Date. 1826.	Port of Arrival.	Ship's Name.	Commander.	Place of Depart.	Date. 1825.
Mar. 28	Penzance ..	Corsair ..	Petrie ..	Singapore	Dec. 3
Mar. 30	Portsmouth..	Kellic Castle..	Adams ..	China ..	Nov. 22
Mar. 31	Portsmouth..	General Kyd..	Nairne ..	China ..	Nov. 9
April 1	Off Dartmouth	Atlas ..	Hunt ..	Madras ..	Sept. 14
April 1	Off Portland..	Bridgewater..	Mauderson ..	China ..	Nov. 19
April 1	Lymington ..	Repulse ..	Patterson ..	China ..	Nov. 19
April 4	Downs ..	Lord Suffield	Dean ..	Bengal ..	Oct. 13
April 5	Dowus ..	Larkins ..	Wilkinson..	Bengal ..	Oct. 16
April 6	Off I. of Wight	Inglis ..	Serle ..	China ..	Nov. 19
April 10	Off the Start..	Waterloo ..	Alsagar ..	China ..	Dec. 22
April 10	Liverpool ..	Dorothy ..	Garnock ..	Bombay ..	Nov.
April 10	Off I. of Wight	Coromandel ..	Boyes ..	Bengal ..	Nov. 18
April 10	Downs ..	Vittoria ..	Southam ..	Singapore	Nov. 23
April 10	Plymouth ..	James Sibbald	Forbes ..	Bombay ..	Nov. 26
April 10	Portsmouth..	Hannah ..	Shepherd ..	Bombay ..	Dec. 16
April 10	Off Portland	Herefordshire	Hope ..	China ..	Nov. 30
April 11	Off Liverpool	Mary ..	Jefferson ..	Bengal ..	Nov. 19
April 11	Portsmouth..	Britannia ..	Boucher ..	Bombay ..	Nov. 20
April 11	Portsmouth..	Lady Flora ..	Pearl ..	Bengal ..	Nov. 17
April 11	Portsmouth..	Simpson ..	Simpson ..	Bombay ..	Nov.
April 11	Off Cowes ..	North America	Liddell ..	China ..	Dec. 12
April 13	Downs ..	Carn-brea Castle	Davey ..	Bengal	Jan. 1, 1826
April 13	Downs ..	Sir Chs. Forbes	Foulerton ..	Bengal ..	Dec. 3
April 22	Off I. of Wight	Cambridge ..	Barber ..	Bombay ..	Dec. 4
April 22	Off I. of Wight	Ceres ..	Warren ..	Bombay ..	Dec. 14
April 24	Portsmouth..	Farquharson..	Cruikshank	China	Nov.
April 24	Portsmouth..	Minerva ..	Probyn ..	Bengal	Jan. 4, 1826
April 24	Off Liverpool	John Biggar..	Blair ..	Bombay ..	Dec. 1

## ARRIVALS IN EASTERN PORTS.

Date. 1825.	Port of Arrival.	Ship's Name.	Commander.	Port of Depart.
Aug. 16	St. Jago ..	Midas ..	Bagrie ..	London
Aug. 28	China ..	Lowther Castle	Barker ..	London
Aug. 28	China ..	Buckinghamshire	Glasspoole ..	London
Sept. 10	China ..	Bombay ..	Charritie ..	London
Sept. 17	St. Jago ..	John Dunn ..	M'Bath ..	London
Oct. 12	China ..	Duke of York	Locke ..	London
Oct. 13	St. Jago ..	Ann ..	Hunker ..	London
Oct. 19	Bengal ..	Broxbornebury	Timson ..	Mad. & London
Nov. 1	China ..	Roxborough Castle	Denny ..	London
Nov. 3	China ..	Warren Hastings	Rawes ..	London
Nov. 3	Madras ..	Neptune ..	Cumberledge	London
Nov. 7	Bengal ..	Mary Ann ..	O'Brien ..	London
Nov. 8	Bengal ..	Berwick ..	Eelbeck ..	London
Nov. 14	Bombay ..	Maitland ..	Studd ..	London
Nov. 14	Bengal ..	Lord Hungerford	Talbert ..	London
Nov. 15	Bengal ..	Bussorah Mercht.	Stewart ..	London
Nov. 16	Bengal ..	Mellish ..	Cole ..	London
Nov. 17	Bengal ..	Victory ..	Farquharson	London
Nov. 23	Bengal ..	Cesar ..	Watt ..	London
Nov. 24	Bengal ..	Sir Edward Paget	Geary ..	London
Nov. 24	Bengal ..	Kingston ..	Bowen ..	Mad. & London
Nov. 27	Bengal ..	Persoverance	Brown ..	Liverpool
Dec. 1	China ..	Count of Haycourt	Delafons ..	London
Dec. 1	Cape ..	Sir Wm. Wallace	Brown ..	London

Date.	Port of Depart.	Ship's Name.	Commander.	Destination.
1825.				
Dec. 8	Bombay	.. Sarah	.. Tucker	.. London
Dec. 12	Bombay	.. Upton Castle	.. Thacker	.. London
Dec. 12	Bengal	.. Enterprize	.. Johnston	.. London
		(Steam-Packet, arrived out in 115 days, all well.)		
Dec. 24	Bengal	.. Lady Nugent	.. Coppin	.. London
Dec. 26	Bengal	.. George Home	.. Hippius	.. London
Dec. 30	Bengal	.. Commod. Hayes	.. Moncrieff	.. London
1826.				
Jan. 6	Cape	.. Ellen	.. Patterson	.. London
Jan. 10	Cape	.. George	.. Clarke	.. London
Jan. 14	Cape	.. Patience	.. Hind	.. London
Jan. 16	Cape	.. Pyramus	.. Brodie	.. London
Feb. 2	Madeira	.. Castle Forbes	.. Ord	.. Mad. & Bengal
Feb. 8	Madeira	.. Clydesdale	.. Rose	.. Mad. & Bengal
Feb. 11	St. Helena	.. Nautilus	.. Tripe	.. London

## DEPARTURES FROM EUROPE.

Date.	Port of Depart.	Ship's Name.	Commander.	Destination.
1826.				
April 3	Deal	Atalanta	.. Johnson	.. Bombay
April 5	Deal	Hooghley	.. Reeves	.. Ceylon
April 5	Deal	Palmyra	.. Lamb	.. Ceylon
Apr. 19	Deal	Providence	.. Ardlie	.. Madras and Bengal

## SHIPS SPOKEN WITH AT SEA.

Date.	Lat. and Long.	Ship's Name.	Commander.	P. of Depart.	Destination.
1825.					
Oct. 1		Ceres	.. Warren	.. London	.. Bombay
		Off St. Mary's, Madagascar.			
Dec. 13	39 48 N. 15 W.	D. of Bedford.	.. Tween	.. London	.. Mad. & Bengal
1826.					
Jan. 30	2 43 N. 29 50 W.	Runnymede	.. Kemp	.. London	.. Bengal
Feb. 4	3 N.	Darius	.. Bowen	.. London	.. Bombay
Feb. 12	6 N. 19 W.	Thames	.. Haviside	.. London	.. Bengal
Feb. 17	1 39 N. 20 18 W.	Berwickshire.	.. Shepherd	.. London	.. Beng. & China
Feb. 25	15 N. 37 W.	General Kyd	.. Nairne	.. China	.. London
Mar. 15	48 5 26	H.M. Wasp	.. —	.. Portsmouth.	.. Madras
Apr. 1	0 20 21 W.	Roy. Charlotte.	.. Dudman	.. London	.. Ceylon
Apr. 13	33 N. 32 W.	Ceres	.. Warren	.. Bombay	.. London

## GENERAL LIST OF PASSENGERS.

## PASSENGERS HOMEWARDS.

By the *Farquharson*, from China:—Mr. G. G. Jarman, from Bombay; Lieut. John Liddell, from Singapore; Mrs. May Queiras; Master Palmer H. Queiras; Richard Aspell, Esq.; A. H. D. C. Lawson, Esq., late chief officer of the *Royal George*; Mrs. Margaret Lawson; and Mr. W. Line.

By the *Hannah*, from Bombay:—Mrs. Clow and three children; Captains Foy and Watson; Lieuts. Taylor and Thomas; Dr. Preston; Capt. Patterson.

By the *Herefordshire*, from China:—Master Thomas; H. Brocksley, from Madras.

By the *Dorothy*, from Bombay, at Liverpool:—Mrs. Bird and two children; and Mr. Staquiller.

By the *James Sibbald*, from Bombay:—Mrs. Cowper and four children; Mrs. Maluwalling and two children; Capt. Waring, of the *Queen's Royals*; Mrs. Waring; Rev. Archdeacon Barnes; M. Alexander, Esq., *Queen's Royals*.

By the *General Kyd*, from China:—Stewart Paxton, Esq., C. S. Bengal; Mrs.

Paxton; Miss A. and M. S. Paxton; Mrs. E. G. Wyatt; Miss C. Wyatt; Master H. Wyatt.

By the *Minerva*, Probyn, from Bengal:—Lady M'Mahon; Mrs. Tindall; Mrs. Martin; Mrs. Nepean; Mrs. Bird; Mrs. Col. Franklin; Miss Diana Ridges; Miss Budd; Maj.-Gen. Sir Thomas Mahon, Bart.; James Maney, Esq., and G. R. Martin, Esq., C. S.; Lieut.-Col. W. Franklin, H. C. S.; Capt. Whittle, H. M. 69th Regt.; Lieut. Lillie, H. M. 31st do.; W. D. Wilkinson, Esq., merchant; Miss C. M'Mahon; Miss M. D. Oyle Bird.

By the *Cumbridge*, from Bombay:—Mr. G. L. Pendergast; Mrs. Hunter Blair; Mesds. W. Nepean, Jervis, Tiddes, and Johnson; Miss Baker; G. L. Pendergast, Esq., Bombay C. S.; Lieut.-Col. Corsellis, C. B., Bombay Army; Capt. G. H. Gibb, Madras Army; Lieut. C. Thuellier, Bombay Army; Lieut. W. Wade, do.; Lieut. W. H. Sparrow, died at sea, 25th of December; J. Johnstone, Esq., merchant; Phillip Stewart, Bombay C. S., and Lieut. E. Armstrong, Madras; both landed at Cape of Good Hope.

By the *Lady Flora*, Bengal:—Mrs. M. Sutherland; Mr. J. W. Sutherland; Capt. J. Cragle; Mrs. Waterman; Master J. Waterman; Lieut. Archer; Mr. Jackson; Mrs. C. Hayes; Mrs. Maud; Mrs. Greig and children; Mr. A. Hungerford.

By the *Simpson*, from Bombay:—Major Elphinstone, C.'s S.; Capt. Orway, and Lieut. Taylor, H. M. 46th Regt.; Mrs. Jackson and six children; Miss Pancut; Master E. Colebrook.

By the *Sir Charles Forbes*, from Bengal:—Lieut. Watts, Bengal Army; Lieut. Rowland, Madras Army; Mr. Harrison.

By the *Inglis*, from China:—Mr. Baynes; Mrs. Baynes; Master Baynes; Mr. Blast; Master Brown.

By the *Larkins*, from Bengal:—Col. Hawtrey, and Mrs. Hawtrey, landed at St. Helena; Capt. Swayne, H. M. 44th Foot; Mrs. Swayne; Miss Hawtrey; Miss Swayne; Mr. Kayrett; Messrs. O. Hanlow, Carter, Dyke, and Dr. Hamilton, 13th Light Infantry.

By the *Waterloo*, from China:—Capt. R. P. Fulcher, Bengal N. I.; Mrs. Fulcher and child; Miss Turner; M. T. Gant from St. Helena; Capt. Henry Meriton; Mr. E. Mainwarring.

By the *Corn-brea Castle*:—Mrs. Col. Morrison; Mrs. D. Russell; Mrs. Maj. Brook; Mrs. Teriens; Mrs. Pickett; Miss Morrison; Col. Morrison, H. M. 44th Regt., died at sea, 15th Feb. 1826; Maj. Brook; Rev. J. Toriana, C.'s S.; G. C. Martin, Esq.; J. Staunforth, Esq. Bengal C. S.; J. Anderson, Esq.; R. Evans, Esq.; A. Anderson, Esq., merchants; Misses Emma and Jane Russell, Sarah Brook, Lydia Toriana, and Emma Brook; Masters J. and J. Campbell.

## COMMERCIAL INTELLIGENCE.

CALCUTTA.—DECEMBER 21, 1825.

*Government Securities, &c.*

Buy.]	Rs.	As.		Rs.	As.	[Sell.
Premium	27	0	Remittable Loan 6 per cent.	26	0	Premium
Discount	1	0	4 per Cent. Loan . . . . .	1	12	Discount
Ditto	0	4	5 per Cent. Loan . . . . .	0	12	Ditto.

### BANK OF BENGAL RATES.

Discount on Private Bills . . . . .	6	0	per cent.
Do. of Government Ditto . . . . .	5	0	
Interest on Loans on Deposit of Company's Paper for 2 months fixed . . . . .	6	0	

### RATES OF EXCHANGE.

On London, 6 months sight, 2s. 1d. a 2s. per S. R.  
 Madras, 31 days, 98 S. R. per 100 Madras Rupees.  
 Bombay, Ditto 98 S. R. per 100 Bombay ditto.

Bank Shares—4500 to 4700.

MADRAS.—DECEMBER 2.

*Government Securities, &c.*

6 per cent. paper . . . . .	25	Prem.
Old 5 do. do. . . . .	1	Disc.
New ditto . . . . .	Par	

## SUPPLEMENTARY INTELLIGENCE.

We give the despatches of Sir A. Campbell, which add little to our previous knowledge of the affairs to which they relate. The Burmese, as usual, came forward with great boldness, formed stockades in every direction, annoyed our troops for some time, and, on the first attacks, were driven from their positions, left many killed, and all the heavy artillery behind. But it still does not appear whether the army is about speedily to advance towards Ammerapooa. No prisoners seem to have been taken, and nothing can have been done towards the destruction of the enemies, except the loss of the artillery, of which they do not seem to know how to make use to any purpose. The lapse of time (and of the money which is slipping away with it) is the most formidable feature of the Burmese war. It is now nearly two years since Sir A. Campbell landed at Rangoon; and though we hope that ere this he is in the enemy's capital, he was not, at the date of his despatches, half way to it. One unpleasant consideration is forced upon us by reading the account of these actions,—that if the Burmese persevere in the warfare till our troops get into parts of their country where our flotilla can be of no avail in assisting them and in preserving their communications, the difficulties they have now to struggle with, from the annoying nature of the warfare, will be much increased. In the attack upon Bhurtpore, the latest intelligence anticipates speedy success, which is the more to be desired as it may dispel any unpleasant effect produced throughout India, by the protraction of the Burmese war.—*Globe*.

## EAST INDIES.

[From the *Calcutta Government Gazette Extraordinary*.]

POLITICAL DEPARTMENT. Dec. 30, 1825.

TO GEORGE SWINTON, ESQ., SECRETARY TO GOVERNMENT, SECRET AND POLITICAL DEPARTMENT, &c., FORT WILLIAM.

SIR,—The enemy in closing in upon our front, has been unremitting in his endeavours to intercept our communication with Rangoon. Large bodies of troops for this service, have lately passed our flanks on both sides of the Irrawaddy, and the state of that river, covered, as it has lately been, with large and valuable convoys of stores and treasure, has necessarily caused me much anxiety, and retarded my moving forward.

Shudoun-Mew, and the Satrauddy districts have been overrun by these itinerant bands, and I have been under the necessity of detaching Lieutenant Colonel Godwin, with a strong detachment, for the purpose of driving the enemy from Shudoun, and, if possible, of surprising any parties he might have in that neighbourhood. On the night of the 28th, the Lieutenant Colonel marched to Shudoun, but the enemy receiving intelligence of his approach, fled to the interior, and the detachment returned to quarters, after clearing the left bank of the river for fifteen miles below Prome.

On the western bank I deemed it of importance to retain possession of Padoun Mew, and for that purpose stationed 100 men of his Majesty's Royal Regiment, and 100 of the 26th Madras Native Infantry, at that place, under the command of Captain Deane, of the Royals, and supported on the river by a division of the Flotilla, under the command of Lieutenant Kellet, of the Navy. This party was repeatedly attacked by the enemy in great force, and the meritorious conduct of



both officers and men, as detailed in the enclosed copies of letters from Captain Deane, will, I am certain, obtain for them the approbation of the Right Hon. the Governor-General in Council.

The first division of his Majesty's 87th regiment, in coming up the river, was fired at from the bank by a party of the enemy, and two men were unfortunately killed, with one officer wounded. The soldiers immediately landed, and drove the enemy from his post with some loss. The particulars are detailed in a report from the commanding officer, Major Gully, of which a copy is herewith enclosed.

Two divisions of his Majesty's 87th Regiment, with the treasure-boats, have now arrived, and I purpose marching out to attack the enemy to-morrow, the consequence of which will, I trust, be felt by all the dependent corps which have so long annoyed us.—I have, &c.

(Signed) ARCHIBALD CAMPBELL, Major-General.

Head-quarters, Prome, November 30, 1825.

Four subsequent despatches from Captain Deane and Major Gully detail the affairs, the result of which is given in Sir A. C.'s dispatch.

Return of Killed, Wounded, and Missing in a Detachment under the command of Major Gully, of his Majesty's 87th Regiment, in action with the enemy near Theacombine, on the 25th of November, 1825 :—

His Majesty's 87th Regiment.—Killed—2 rank and file; Wounded—1 captain.

Name of the Officer Wounded—Capt. James Bowes, slightly.

(Signed) F. S. TIDY, Lieut.-Col. D. A. G.

TO GEORGE SWINTON, ESQ., SECRETARY TO GOVERNMENT, SECRET AND POLITICAL DEPARTMENT, &c., FORT WILLIAM.

SIR,—My last letters would apprise the Right Honourable the Governor-General in Council, that the main Burmese army, amounting to between 50,000 and 60,000 men, had taken post in the immediate vicinity of Prome; and I have been for the last ten days anxiously awaiting an attack upon the strong position we had with much labour cleared and prepared for giving full effect to the movement and operations of our columns, and every possible encouragement has been held out to induce the enemy to meet us once on open ground. Finding him, however, much too wary to be drawn from his strong holds in the jungle, and suffering much annoyance and inconvenience from his marauding parties, and want of forage, I, on the 30th ultimo, took measures for making a general attack upon every accessible part of his line, extending on the east bank of the Irrawaddy, from a commanding ridge of hills upon the river, to the villages of Simbiki and Sembeth upon the left, distant from Prome eleven miles in a north-east direction. The enemy's army was divided into three corps. The left corps, commanded by Maha Nemiow, an old and experienced general, who had been sent down from Ava to introduce a new system of conducting the war, was stockaded in the jungles at Simbiki and Hyalay, upon the Nawine river; and this corps amounted to 15,000 men,—Burmese, Shans, and Casayers, of which 700 were cavalry. The centre, under the immediate orders of the Kee-Woonghee, was strongly entrenched upon the hills of Napadec, inaccessible, except on one side by a narrow pathway, commanded by seven pieces of artillery, and on the river side the navigation was commanded by several batteries of heavy ordnance. The corps consisted of 30,000 men, and the space between the left and centre corps, a thick and extensive forest, was merely occupied by a line of posts. The enemy's right, under the orders of Suddoowoon, occupied the west bank of the Irrawaddy, strongly stockaded, and defended by artillery.

Leaving four regiments of Native infantry in the works at Prome, on the morning of the 1st instant, I marched upon the Simbiki, with the rest of the force, to dislodge the corps of Maha Nemiow from its position on the Nawine River; and, as previously concerted, his Excellency Commodore Sir James Brisbane, with the flotilla, and the 26th Madras Native Infantry, acting in co-operation on the bank of the river, shortly after daylight commenced a heavy cannonade on the enemy's centre, and continued nearly two hours to attract his chief attention to that point.

On reaching the Nawine River, at the village of Zeothke, the force was divided into two columns,—the right column, under the command of Brigadier-General Cotton, continuing to advance along the left bank of the river, while, with the

other column, I crossed at the ford of Zeouke, and advanced upon Simbiki and Lombek, in a direction nearly parallel with the Brigadier-General's division.

We had to contend with every disadvantage of a difficult and enclosed country, nor did our information upon the position occupied by the enemy enable me to make any previous fixed arrangement for intercepting the retreat of an enemy to whom every footpath in the jungle was familiar, and whose irregular flight would, I was aware, be made by every path that promised safety at the moment. My object, however, was, that whichever column should have the good fortune to fall in with the enemy first, should attack him vigorously in front, while the other should endeavour to occupy such positions as would enable it to cut in upon him, when driven from his defences. The route followed by Brigadier-General Cotton brought him in front of the stockaded position at Simbiki, which he at once assaulted; and when his first fire opened, the column under my own direction was about a mile and a half distant to his left and rear. I, in consequence, detached Brigadier Eliington to guard the fort at Zeouke, and the main road leading to Neoun-benzick, and the position of the Kee-Woonghee, while, with the rest of the column, I pushed on towards Sague, in the hope of falling in with the enemy retiring upon Watty-goon. Brigadier-General Cotton and his gallant division did not allow me time for completing this movement. In less than ten minutes every stockade was carried, the enemy completely routed, and I had only an opportunity of cannonading his panic-struck masses as they rushed fast through the openings of the jungle in my front.

The attack upon Simbiki was most handsomely led by Lieutenant Colonel Godwin, of his Majesty's 41st regiment, with the advanced guard of the right column, consisting of the light companies of his Majesty's royal 41st and 89th regiments, and the light companies of the 10th and 28th regiments of Madras Native Infantry, and his Majesty's 41st regiment, under Major Chambers, stormed at another point, with the usual intrepidity of that gallant corps. The enemy left 300 dead upon the ground, with the whole of his commissariat and other stores, guns, from 450 to 500 muskets, and upwards of 100 Cassay horses. The body of the old commander, Maha Nemiow, 85 years of age, was also found among the dead.

The enemy's left corps thus disposed of, and finding, from the testimony of all the prisoners, that Mecaday had been fixed upon as the point upon which to re-unite in the event of any disaster, I at once determined upon marching back to Zeouke, for the purpose of attacking the centre, under the Kee-Woonghee, on the following morning. At six in the evening the whole force was again assembled at Zeouke, where it bivouacked for the night, after a harassing march of about twenty-nine miles, which the troops underwent with the greatest cheerfulness and spirit.

At daylight in the morning of the 2d, we were again in motion. It was my intention to have cut in upon the river so as to divide the Kee-Woonghee's force; but the impassable nature of the intervening country prevented my reaching Pagaon, the point I had selected for breaking through his line, and the only road that could be discovered led to the front of the fortified ridge of the Napdee, already alluded to, which, from its inaccessibility on three sides, could only be attacked by a limited number of men in front. Early in the morning I detached Brigadier-General Cotton's division with orders to endeavour to push round to the right, and gain the enemy's flank by every path that could be discovered, but after great exertion the effort was abandoned as wholly impracticable. Our artillery being placed in position, opened with great effect, while his Excellency Commodore Sir J. Brisbane moved forward and cannonaded the heights from the river. I, at the same time, directed Brig. Eliington to fall in through the jungle to the right, where the Brigadier informs me the enemy opposed him with great gallantry and resolution, defending every tree and breast work with determined obstinacy. To the Brigadier's left I directed six companies of his Majesty's 87th regiment, under Major Gully, to advance and drive in the enemy's post to the bottom of the ridge. This service was performed with much spirit, and the enemy was driven from all his defences in the valley, retreating to his principal works on the hills. The appearance of these works was sufficiently formidable, and the hills, I have already mentioned, could only be ascended by a narrow road, commanded by artillery and numerous stockades and breast works filled with men, apparently all armed with muskets. As soon as the artillery and rockets, under Captains Lumsdaine and Graham, directed by Lieutenant Colonel Hopkinson, had made an impression upon the enemy's works, and silenced

several of his guns, I ordered the troops to advance to the assault. The first Bengal Brigade, commanded by Lieutenant Colonel Sale, and consisting of his Majesty's 13th and 38th Regiments, under Majors Thornhill and Frith, was directed to advance by the breach, and storm the heights in front, and the six companies of his Majesty's 87th regiment advanced through the jungle to the right, and drove everything before them on that side. Nothing could surpass the steadiness and resolute courage displayed in this attack. Scarcely a shot was fired in return to the enemy's continued volleys. His Majesty's 38th Regiment, which led, first entered the enemy's entrenchments on the heights, driving him from hill to hill, over precipices which could only be ascended by a narrow stair, until the whole of the formidable position, nearly three miles in extent, was in our possession.

During the attack, his Excellency Commodore Sir James Brisbane afforded me the most able co-operation, and I do myself the honour to enclose his Excellency's report of the good conduct of the officers and men of the Honourable Company's service serving on board the Flotilla, and I much regret to observe the name of Captain Dawson, of his Majesty's ship *Arachne*, who was conspicuously forward in the attack, among the list of killed.

Lieutenants Underwood, commanding engineer, and Abbot, of the Bengal Engineers, who had closely reconnoitred the enemy's position, both volunteered to lead the columns, and were, I am sorry to say, both wounded on that service.

I have also to regret the loss of many promising young officers and brave soldiers; but I am happy to observe that our loss, considering the extent and strength of the enemy's positions, and great numerical superiority, has not been great; and I owe it to the troops to say, that the impression of their own steadiness and intrepidity upon the minds of the enemy, could alone have secured to them the brilliant successes of the 1st and 2d, with so few casualties as will be found in the returns I have the honour herewith to transmit.

The defeat of the enemy's army on the east bank of the Irrawaddy has been most complete. He has been driven from all his strong positions in this neighbourhood, with the loss of all his artillery, great quantities of ammunition, and warlike stores; and although it is impossible, from the nature of the ground, to calculate the extent of his loss in killed and wounded, I am satisfied he has suffered most severely, and I am much mistaken if the Burmese commander again assembles a force within many thousands of the number lately in our front.

The right corps of the enemy's army, under Sudda Woon, appears still to occupy some high ground on the west bank of the Irrawaddy. Measures are now in progress for attacking that division, and I have no doubt it will be dislodged from its defence to-morrow morning.

On the 6th I purpose marching upon Meeady, by the Neoun-benzick road, with the first division of the army. Brigadier-General Cotton, with the second division, will remain a few days longer to act in co-operation with the flotilla, in the event of the enemy having rallied in his defences on the river, between Prone and Neoun-benzick. I have no certain information upon his next rallying point. Meeady on the east, and Maloune on the west bank of the river, are both fortified, and are furnished with artillery. They are both named as the probable points of re-union, and I shall lose no time in appearing before whichever they have chosen for that purpose; but I think it important that one division should continue to act in co-operation with the flotilla, until it is clearly ascertained that the navigation of the river is open between this and Meeady.

I have to solicit the attention of the Right Honourable the Governor-General in Council, to the judicious and cordial co-operation afforded me by his Excellency Commodore Sir James Brisbane, and the boats of his Majesty's squadron employed on this service. My best thanks are due to Brigadier-General Cotton, for the able manner in which he led his column, and his judicious and decisive attack upon the enemy's left at Simbike. The services of Brigadier Elrington, Lieutenants Colonel Godwin and Sale, Majors Frith, Chambers, Thornhill, and Gully, who led columns, also claim my notice. Lieutenant Colonel Hopkinson, commanding artillery, Lieutenant Colonel Pollock, and Captain Graham, of the Bengal Artillery, merit my fullest approbation for their exertions; and Captain Lumsdaine, of the Bengal Horse Artillery, although badly wounded, refused to quit the battery, and continued from his chair to direct the fire of his guns.

Brigadier-General Cotton informs me that he received every aid from the experience of Brigadiers Armstrong and Brodie, serving under his command.

From my Deputies Adjutant and Quarter-Master-General, Lieut.-Col. Tidy

and Major Jackson, and from my Military Secretary, Captain Snodgrass, I received every aid and assistance during these operations; and Captain Smith, of the Bengal army, volunteered his services, and accompanied me as Aide-de-Camp on the occasion.—I have the honour to be, &c.

(Signed) ARCHIBALD CAMPBELL, Major-Gen.

Head-Quarters, Camp on the Heights of Napadce, Dec. 4.

[The list of killed and wounded, which has been already correctly given, with the exception of a name mis-spelled, (Major Backboure should have been *Backhouse*,) follows; as also of the stores taken, among which were one 32-pounder, and several other guns of considerable calibre.]

TO GEORGE SWINTON, ESQ., SECRETARY TO GOVERNMENT, SECRET AND POLITICAL DEPARTMENT, &c., FORT WILLIAM.

SIR,—In my despatch of yesterday, I mentioned my intention of attacking the enemy's right wing, under Sudda Woon, posted on the left bank of the Irrawaddy.

Having concerted measures with his Excellency Commodore Sir James Brisbane, I directed Brigadier-General Cotton to cross the river in the course of last night with the division under his command, and, if possible, to land above the position occupied by the enemy.

This the Brigadier-General effected, and I had the pleasure, early this morning, of seeing my orders carried into the fullest effect, as detailed in the letter herewith enclosed. I have, &c.

(Signed) ARCHIBALD CAMPBELL, Major-Gen.

Head-Quarters, Camp on the Heights of Napadce, Dec. 4, 1825.

TO MAJOR-GENERAL SIR A. CAMPBELL, K. C. B., COMMANDER OF THE FORCES.

SIR,—You did me the honour of placing a proportion of the division under my command this morning, with orders to attack and dislodge the right wing of the enemy's army, situate in a series of stockades on the right bank of the river.

The details were as follows:—250 Royal Engineers; 270 of his Majesty's 41st Regiment; 260 ditto 89th ditto; light company 28th Madras Native Infantry; and 100 pioneers.

This operation was performed in conjunction with the navy and flotilla, and, I am happy to add, was attended with the most complete success. The enemy retired from their stockades on the river, from the severe fire from four howitzers, and some rockets, ably directed by Lieuts. Paton and Seton, of the Bengal Artillery; but on taking possession of them, it was discovered that they had a stockaded work about half a mile in the interior, completely manned and occupied by guns; Brigadier Armstrong, Colonel Brodie, and Colonel Godwin, immediately moved upon its centre and right, and I took the Royals to the left, and the work was carried instantly, the enemy leaving three hundred dead on the field, and dispersing in every direction; I have sent in several prisoners, and from 300 to 350 muskets were taken by my men, having been abandoned by the enemy. I have set fire to the whole of their defences, and have only to add my warmest acknowledgments to Brigadier Armstrong, who commanded the advance; to Colonel Brodie, who had charge of the light companies; and Colonel Godwin, who commanded the reserve, and every officer and man who were engaged.

[The praises of the officers follow.]

I am happy to say this service was performed with the trifling loss of one man killed and four wounded. I have, &c.

(Signed)

W. COTTON, B.G.

(A true copy.)

(Signed)

F. S. TIDY, Lieut.-Col. D.A.G.

Published by command of the Right Hon. the Governor General in Council.

GEORGE SWINTON, Secretary to the Government.

## NOTICES TO CORRESPONDENTS.

*WE regret to state, that the request of a Correspondent not to insert his communication respecting the Affairs of Cuttack, came too late to be acted on, as the information had already appeared. We beg to assure him that his wishes shall be carefully attended to in any future communication with which he may favour us.*

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Our attention has been especially drawn to a paragraph in the Number for August 1825, at the top of page 325, in which allusion has been made to a supposed connexion and influence, by which an individual, said to be not qualified for a certain situation, is thought to have obtained it. The paragraph first asserts that Mr. Milner was never in the Company's regular service, which we understand to be untrue; and it next insinuates a connexion, which is subsequently declared, by persons worthy of credit, to have had no existence but in the imagination of the writer, from whose information the article adverted to was principally compiled.

This article was not written by the Editor himself, nor was it even seen by him, as far as he remembers, before its insertion; he being, at the period of its appearing, afflicted with an illness of so severe a nature, as to prevent his personal attention to the usual duties even of supervision.\*

The individual to whom the compilation of *Indian News* was then intrusted, was not, however, the inventor of the information there given, as it came from Calcutta in a letter or letters addressed to persons in England: although there can be no doubt but that the use made of these was such as to deserve the reprehension bestowed on it both here and in India.

Until our attention was called to it from both these quarters, we confess that it had entirely escaped us. But, that being done, accompanied with proofs from more authorities than one, of its originating in error, we should but inadequately express our feelings if we did not readily and cheerfully embrace the earliest opportunity of declaring our belief that the party from whom the information originally proceeded, was not merely inaccurate as to the facts, but laboured under a great misconception in his mode of stating them.

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\* On reference to the subsequent Number for September 1825, a note to Correspondents will be found to explain the nature and extent of this illness, which was then assigned as the cause of delay, and unavoidable transfer to other hands, of duties that could only be resumed with returning health.

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## ERRATA.

We have authority to state, that the birth, of a son to the lady of J. T. Ansley, Esq. at Madras, and the death of J. T. Ansley, Esq. at Berhampore, both announced in the '*Oriental Herald*' of Marth last, and taken from the Indian Papers, are incorrect. The birth having taken place at Berhampore; the death not at all; as the gentleman, whose name was probably meant to be Ansley, and not Ansley, was then in good health at a period subsequent to that of his prematurely announced demise;—intelligence which will be, no doubt, gratifying to all his friends.

# THE ORIENTAL HERALD.

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A THEORETICAL AND PRACTICAL VIEW OF THE LAW OF LIBEL  
IN ENGLAND AND IN INDIA.

No. II.

## *Theoretical View of the Law of Libel in England.*

THE insuperable difficulty of estimating the mischief effected by libel, (the preponderance of which over the chances of inflicting unjust punishments and of prejudicing the interests of truth, is the sole ground on which the expediency of penal enactments against libel rests,) is further illustrated by the different views taken of the legal and moral merits of certain late decisions of the Court of Chancery on questions of literary property.<sup>1</sup>

The first anomaly that strikes us, in this case, is, that the Chancellor should virtually constitute himself judge of libels, and that his judgments should, on the one hand, have the effect of inflicting a serious injury on the feelings and property of the author and rightful publisher, while, on the other, they protect the unjust gains of the literary pirate, and facilitate the diffusion of the supposed mischief through every portion of the reading public. The indifference with which the latter consequences are regarded, for the sake of the irresistible gratification afforded by the former; the benefit of doubts being given to one who avowedly claims upon his own wrong; the property and characters of all authors depending, in a certain degree, on the awards of one man, grounded on his conjecture of what the verdict of a jury might be,—present a combination of evils and inconsistencies, which ought not a little to contribute towards hastening the promulgation of the decree which shall take questions of libel from the consideration of every tribunal. The difference is, no doubt, considerable between granting an injunction against a work on the grounds of its evil tendency, and refusing to grant one against the pirated edition, on the ground that the original may possibly be found not to have been entitled to such summary protection; still the mon-

<sup>1</sup> *Walcot v. Walker*; *Southey v. Sherwood*; *Murray v. Benbow*; and *Lawrence v. Smith*.

strong principle to which Lord Ellenborough, by his extraordinary *dictum* in the case of *Dubois v. Beresford*,<sup>2</sup> would have given its utmost extension, that the Chancellor's opinion of what is libellous should be permitted extensively to affect reputation and property, and that literature should be brought, in a great measure, under his control, is effectively recognised—a grievance no less unlooked for than intolerable.

The Vice-Chancellor, Sir John Leach, went even so far as to say, (in *Hunt v. Dugdale*,) that "a work may not be in its nature the subject of an indictment for libel, and yet it may be of so *flippant* a nature as not to deserve the protection of this court"! There might not be even a doubt that the work would be recognised as unobjectionable by a jury—the sole ground on which the Chancellor professes to act might confessedly not exist; and yet if, from its alleged flippancy, or any other quality, it did not accord with the Vice-Chancellor's critical taste, it would be refused the most appropriate and effectual protection which is due to literary property! In every other instance in which relief is sought by an injunction, the Chancellor is a competent judge of the legal title on which the plaintiff claims his interposition, because the question relates to objects of physical utility, and is susceptible of determination by fixed technical rules; and it is because mere thoughts cannot be measured by any such standard, that the analogies on which the Chancellor's judgments have been grounded are entirely inapplicable. In *all* cases let him require the plaintiff to produce a clear title; but the title of an author ought to be as independent of the Chancellor's estimate of the literary merit of his work, as the validity of a statute ought to be independent of the court's opinion of the reasonableness of its enactments. So long as there is a law of libel, a jury ought as exclusively to be held the only proper judges of what is to be prosecuted as libellous, and what to be tolerated, as the legislature are of what laws are to be repealed and what retained. The Chancellor's doubts, therefore, as to what a jury may think of a publication, ought no more to influence his decisions respecting it, than his doubts as to the intentions of the legislature affect his decisions in other matters.

In addition to the technical apologies which have been made for the Chancellor's judgments, it has been contended, that more good will result from the discouragement given to the future publication of similar works, than evil from the increased dissemination of deleterious matter consequent on the multiplication of cheap editions. This discouragement is two-fold: first, the pecuniary loss; secondly, the wound given to the feelings by the proscription of a book, and its compulsory associations with the meanest and vilest things which are spawned from the press, hawked about the streets, and thumbed by the populace. Granting that it were expedient to institute, as the only check against libellous publications, the non-recognition of a monopoly in their authors and publishers, would it be reasonable to

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<sup>2</sup> 2 Campb., N. P. 511. See State Trials, XX. 798.

appoint the Chancellor sole arbiter of the cases to which such a check should be applied; to arm a minister of the crown with such a power, when the fallibility of human judgment, and the harmlessness of error and falsehood, when freely combated by truth, forbid that it should be intrusted even to twelve independent and impartial jurors?

Of the two kinds of discouragement which have been mentioned, the first, the invasion of property, is the only one worthy of consideration. The accidents of typography are powerless against an author's fame. In vain have the opposite effects of dear and cheap editions, and their respective concomitants of fashion and degradation in rendering a work attractive by difficulty, or despicable by facility of attainment, been fancifully exaggerated.<sup>3</sup> What is not the production of a vulgar mind, will never be rendered familiar to the vulgar by coarseness of paper and lowness of price; nor, on the other hand, will the most costly refinement and embellishment of typography prevent what is level to their apprehensions, and stimulating to their appetites, from finding its way into their hands. Still the question remains, which class of society is it most desirable and needful to protect against the seduction of libel? and whether ought those of an ingenious and polished, or of a rude and gross description, to be deprecated as the more formidable evil? The rich are the masters of the state, and mould it according to the principles which obtain an ascendancy over their minds; they are, at the same time, most capable of detecting sophistry, correcting misrepresentation, and repelling direct or insidious appeals to the sordid or malignant propensities of our nature. The poor are more susceptible of the impressions which the ignorant pretender, or the needy demagogue may seek to communicate; they are, at the same time, the least capable of influencing the choice of men or measures; and, above all, they are least liable to be actuated by speculative opinions, and never obey their impulse when not springing immediately from physical distress or uneasiness, unless when led by men of rank and education. Is it not plain, then, that the regimen of unlimited toleration is the most salutary for all descriptions of the community, rich and poor, high and low, learned and ignorant; and that, among all classes, truth and reason will combat with most advantage when they have a clear stage and no favour? and when asking no external support, they are guaranteed against external let or hindrance, under whatever pretences, or whatever friendly shapes they might assume?

It is worth while to observe the common-places by which counsel for the prosecution alternately expatiate on the circumstance of a libel being addressed to the higher and lower orders of society, as aggravations of its dangerous tendency. Thus, on the trial of Mr. Stockdale for the publication of the *Rev. Mr. Logan's 'Review of the Charges against Warren Hastings,'* the Attorney-General (Sir A. Macdonald) said:

Gentlemen, this I should, however, mention to you, is a libel of a more

<sup>3</sup> *New Edinburgh Review*, No. VI. p. 503.



dangerous nature than the ribaldry that we daily see crowding every one of the prints which appear every morning upon our tables; because it is contained in a work which discovers the author of it to be by no means ignorant of the art of composition, but certainly to be of good understanding and eminently acquainted with letters. Therefore, when calumny of this sort comes so recommended, and addressing itself to the understanding of the most enlightened part of mankind—I mean those who have had the best education—it may sink deep into the minds of those who compose the thinking and judging part of the community; and, by misleading them, perhaps, may be of more real danger than the momentary inflammation of common minds by the ordinary publications of the day.<sup>4</sup>

When Paine published the second part of his 'Rights of Man,' the same Sir A. Macdonald said:

Gentlemen, to whom are the positions that are contained in this book addressed? They are addressed, Gentlemen, to the ignorant, to the credulous, and to the desperate; to the desperate, all government is irksome; nothing can be so palatable to their ears as the comfortable doctrine, that there is neither law nor government amongst us. The ignorant and the credulous we all know to exist in all countries; and, perhaps, exactly in proportion as their hearts are good and simple, are they an easy prey to the crafty who have the cruelty to deceive them.<sup>5</sup>

In support of the proposition advanced in the Article contained in the preceding Number, we may consider, in the *second* place, the difficulty of ascertaining the degree of malignity which actuated the author of the libel. In the perpetration of all other crimes, there is a definite and obvious proportion between the instigating malice and the mischief produced; but nothing is more common, not merely in legal proceedings, but in literary controversy, in conversation, and in epistolary correspondence, than false imputations of malice, as collected from words spoken or written. On this point, however, as on that which has just been discussed, the advocates for the existing system find no difficulty. They who can pronounce certain doctrines to be worse than treason or arson, will, of course, be at no loss to discover an actuating malignant principle, or to say that its existence must be presumed. Thus, when the Lord Chief Baron Eyre replied in the name of all the Judges to the seven questions proposed to them by the House of Lords, on Mr. Fox's Libel Bill, May 11, 1789, he said:

The criminal intention charged upon the defendant in legal proceedings on libel, is generally matter of form, requiring no proof on the part of the prosecutor, and admitting of no proof on the part of the defendant to rebut it. The crime consists in publishing a libel; a criminal intention in the writer is no part of the definition of the crime of libel at common law. He who scattereth firebrands, arrows, and death, (which, if not an accurate definition, is a very intelligible description of a libel,) is *ex ratione* criminal; it is not necessary, and on his part he shall not be heard to say, "Am I not in sport?"

"Now, in the first place, this metaphorical description is perfectly useless, and inapplicable to any judicial or moral purpose, for it is impossible to say what libels ought to be held to come up to, or fall

<sup>4</sup> 20. State Trials, 249.

<sup>5</sup> Ibid, p. 383.

short of, so vague a standard; it is therefore unintelligible as a description of libel, and can afford no warning to libellers, nor assistance to juries. In the second place, it is made up of a garbled quotation from Scripture; and the text in question has been so often wrested to the same purpose by high authorities, that some persons may not be aware that there is nothing in Scripture to warrant or countenance the use of such metaphors in reprobating the crime of libelling; much less to justify proportioning the penalty of libelling to the malignity which is indicated by the *literal* shooting of arrows and tossing of firebrands. Prov. xxvi. 18, 19. 'As a madman who casteth firebrands, arrows, and death; so is the man that deceiveth his neighbour, and saith, Am not I in sport?' The word rendered 'madman,' seems to mean *one who feigns himself mad*; and then the propriety of the similitude would be in the false pretences under which each of the persons did the mischief. One pretends to be mad, the other to be in jest; but this makes no amends to the injured party."—*Scott*. Here a comparison is drawn between one who wilfully destroys his neighbour's property, and wounds or kills his person, and hopes to escape responsibility under a false pretence of insanity; and one who occasions pecuniary loss and vexation to his neighbour by a wilful abuse of his confidence; in short, by any of those fraudulent practices which are justly the objects of criminal law. We see, then, that the passage has no relation whatever to the offence of libelling, and that those who have so perverted it were as little familiar with the text, as imbued with the spirit of Scripture. If they had searched the Scriptures, they would have found, that while every description of railing, insolence, and slander, is condemned with great severity,<sup>7</sup> yet the only instances which are recorded of the infliction of temporal punishments on persons accused of uttering seditious speeches, are instances of the oppression of *innocent* persons.<sup>8</sup>

One of the texts which are usually adduced in condemnation of evil speaking (Jude ix.) is, however, when correctly translated, much more distinctly prohibitory of the interposition of human jurisdictions, and the use of temporal sanctions, against the offence. For St. Michael is not commended for not retorting the "railing accusation" of the devil, but because he "did not presume to denounce on him the judgment of blasphemy," but left him to be coerced by the judgment of the Supreme Being. Archbishop Tillotson, not adverting to the looseness of the translation, says, "the angels have no disposition, and I believe they have no talent or faculty for railing," and "the devil would have been too hard for him (St. Michael) at railing, being better skilled at this weapon, and more expert at that kind of dispute." However, we know not where to look for so perfect a human model of

<sup>7</sup> Ex. xxiii. 28. Prov. x. 18. xx. 19. xxi. 11, 17. Ex. x. 6, 7, 20. Ex. xx. 16, Ex. xxiii. 1. Lev. xix. 16. Ps. xv. 3. 1. 26. cl. 5. Ex. xxii. 9. Acts xxiii. 5. 1 Pet. ii. 17. 2 Pet. ii. 10. Jude 8. Tit. ii. 3. 1 Tim. iii. 2. 1 Cor. vi. 10. <sup>8</sup> 1 Kings xxii. 24, 25. Jer. xx. 1—6. John xviii. 19—23. Acts xvi. 19—24. Acts xvii. 5—9. xxi. 28—31. xxii. 22, 23. xxiv. 5. xxviii. 27. Luke xxi. 1—5. 1 Kings xviii. 17, 18. Esth. iii. 8, 9. Jer. xxxviii. 2—4. Amos vii. 10.

charity, wisdom, and dignity, applied to the treatment of *libels*, as in the following passage, which occurs in his Grace's 42d. sermon, preached before the King and Queen, February 25, 1694, soon after the expiration of the licensing act :

And here, if I durst, I would have said a word or two concerning that more public sort of obloquy by *lampoons* and *libels*, so much in fashion in this witty age. But I have no mind to provoke a very terrible sort of men. Yet thus much I hope may be said without offence, that how much soever men are pleased to see others abused in this kind, yet it is always grievous when it comes to their own turn. However, I cannot but hope that every man that impartially considers, must own it to be a *FAULT* of a very high nature, to revile those whom God hath placed in authority over us, and to slander the footsteps of the Lord's anointed; especially since it is so expressly written, "Thou shalt not speak evil of the rulers of thy people."

Having represented the great evil of this vice, it might not now be improper to say something to those who suffer by it. Are we guilty of the evil said of us? Let us reform, and cut off all occasions for the future; and so turn the malice of our enemies to our own advantage, and defeat their intentions by making so good a use of it; and then it will be well for us to have been evil spoken of. Are we innocent? We may so much the better bear it patiently; imitating therein the pattern of our blessed Saviour, who, when he was reviled, reviled not again, but committed himself to him that judgeth righteously. We may consider likewise, that though it be a misfortune to be evil spoken of, it is *their* fault that do it, and not *ours*; and therefore should not put us into passion; because, another man's being injurious to me is no good reason why I should be uneasy to myself. We should not revenge the injuries done to us; no, not upon them that do them, much less upon ourselves. Let no man's provocation make thee to lose thy patience. Be not such a fool as to part with any one virtue, because some men are so malicious as to endeavour to rob thee of the reputation of all the rest. When men speak ill of thee, do as Plato said he would do in that case—*live so as that nobody may believe them.*<sup>9</sup>

Exclusive of the manifold acknowledged ambiguities of language which expose an author's meaning to misconstruction by the interested, the prejudiced, or the uncandid, such are the varieties of moral and intellectual constitution, and so imperfectly are these represented through the medium of language, that it is impossible to ascertain on any occasion the exact degree of *force* and *precision* with which words are used, or how far the minds of the writer and reader correspond. The former may have meant much less than he said; the latter may understand as much or more than he finds written. Thus, at the commencement of the American war, some were able to express the strongest reprobation of it, and vehemently to expatiate on its injustice and impolicy, without affording to the Attorney-General a good case to present to a jury; others, not more indignant, but less gifted with eloquence, were incapable of giving utterance to their feelings without characterising the first attacks on the provincials as *murders* committed by the King's troops,—an expression which constituted the libel

<sup>9</sup> To the same purpose, the second part of the Homily against Contention is so excellent, that it might have been well to have introduced the whole of it into this place.

for which Mr. Horne was tried in 1778; who vainly pleaded, that members of Parliament and others had avowed the same opinion, though they did not condense it, as he had done, into one word. And while it little avails a defendant to resolve his strong and salient expressions into others which convey the same ideas in a less startling manner, he is at other times charged with responsibility for the utmost signification, and most remote inferences, which can be tortured out of his expressions. Yet nothing may be farther nor merely from his intention, but from his comprehension, than the pernicious inferences deduced from the premises; for some may consider to be faintly insinuated, others to be directly suggested, what was not for a moment in the author's contemplation. To such *virtual* libellers we may apply what Hooker says of those who pretended that certain Gentiles might be esteemed virtually Christians:

Might we not with as good a colour of reason defend, that every ploughman hath all the sciences wherein philosophers have excelled? For no man is ignorant of their first principles, which do virtually contain whatsoever by natural means is or can be known. Yea, might we not with as great reason affirm, that a man may put three mighty oaks wheresoever three acorns may be put? For, virtually, an acorn is an oak.<sup>10</sup>

And also what he says of virtual heretics—

Many are partakers of the errors which are not of the heresy of the Church of Rome. The people, following the conduct of their guides, and observing as they did, exactly, that which was prescribed, thought they did God good service, when indeed they did dishonour him. This was their error; *but the heresy of the Church of Rome, their dogmatical positions opposite unto Christian truth, what one man amongst ten thousand did ever understand?* Of them which understand Roman heresies, and allow them, all are not alike partakers in the action of allowing. Some allow them as the first founders and establishers of them; which crime toucheth none but their Popes and Councils; the people are clear and free from this. Of them which maintain Popish heresies, not as authors but as receivers of them from others, all maintain them not as masters. In this are not the people partakers neither, but only the predicants and schoolmen.<sup>11</sup>

It is not to be doubted that Locke had the above passage in view when he wrote the following development of it:

Notwithstanding the great noise that is made in the world about errors and opinions, I must do mankind that right to say, *there are not so many men in errors and wrong opinions as is commonly supposed.* Not that I think they embrace the truth; but indeed because concerning those doctrines they keep such a stir about, they have no thought, no opinion at all. For if any one should a little catechise the greatest part of the partizans of most of the sects in the world, he would not find concerning those matters they are so zealous for, that they have any opinion of their own; much less would he have reason to think that they took them upon the examination of arguments and appearance of probability. They are resolved to stick to a party that education or interest has engaged them in; and there, like the common soldiers of an army, show their courage and warmth as their leaders direct, without ever examining, or so much as knowing the cause

<sup>10</sup> Discourse of Justification, sec. 24.

<sup>11</sup> Ibkl. sec. 12.

they contend for. If a man's life shows that he has no serious regard for religion, for what reason should we think that he beats his head about the opinions of his church, and troubles himself to examine the grounds of this or that doctrine? 'Tis enough for him to obey his leaders, to have his hand and his tongue ready for the support of the common cause, and thereby approve himself to those who can give him credit, preferment, and protection in that society. Thus men become combatants for those opinions they were never convinced of; no, nor ever had so much as floating in their heads; and though one cannot say that there are fewer improbable or erroneous opinions in the world than there are, yet this is certain, there are fewer that actually assent to them, and mistake them for truths, than is imagined.<sup>12</sup>

It has been said that—

If these remarks of Locke's were duly weighed, they would have a tendency to abridge the number of controversial writers, and to encourage philosophers to attempt the improvement of mankind, rather by adding to the stock of useful knowledge, than by waging a direct war with prejudices which have less root in the understanding than in the interests and passions of their abettors.<sup>13</sup>

May we not deduce from them a more important lesson, as evincing the folly and injustice of waging a *judicial* war against political heresies, which exert so little independent influence on the conduct of those who maintain them, or of those to whom they are addressed? The attempt to limit the number of controversial writers by such suggestions, would, indeed, be as vain as the interposition of force is inadmissible; for no set of men can arrogate to themselves the designation of "philosophers who add to the stock of useful knowledge," while they segregate themselves from others whom they suppose to be blindly subjected to the dominion of "prejudices." Who shall be considered to have added, and what shall be considered an addition, to the stock of useful knowledge, must always abide the test, and be determined by the result of more or less protracted public discussion.

If so much difficulty attend the discovery of the exact state of the author's mind, with how much more diffidence ought we to pronounce on the motives of the printer and publisher! The agency of the latter no more implies concurrence in the sentiments of the former, than the animated exertions of a barrister imply a community of feeling with his client. The printer and publisher divide their moral responsibility with the multitude of other booksellers and individuals who sell and lend the offensive book, without deriving any benefit from the maxim, *Quicquid multis peccatur, multum*. That their sole motive may be pecuniary gain, would be no extenuation, if the criminality of the act in which they had participated were easily and clearly discernible, so as to demonstrate wilful participation in a guilty purpose. But no such demonstration can be obtained in the case supposed; the printer and publisher may be invincibly persuaded

<sup>12</sup> Essay on Human Understanding, Book IV. c. 20, s. 18.

<sup>13</sup> Stewart's Philosophy of the Human Mind, Vol. II., p. 288.

that the publication for which they are arraigned, instead of censure, is deserving of universal approbation; or that, if censurable, it is at least harmless, and "breaks no bones." Nevertheless, the law makes no distinction between author and publisher! The latter is criminally answerable for the errors of the former, though he may not have read, nor seen, nor heard of the book sold in his shop. It was the avowed policy of Lord Mansfield to encourage the prosecution of publishers *rather* than of authors; and during his long reign that policy was carried on to a greater extent than it has been since, though more frequently baffled by the firmness of juries than successful in the attainment of its object.

A *third* argument in support of the proposition, may be drawn from the inefficacy of any restraints short of unqualified despotism to prevent the publication of libels. This topic has been insisted on by some writers for the purpose of recommending toleration, and by others, to show the expediency of circumscribing liberty by more rigorous restrictions and more terrible examples. Thus, Dr. Johnson observes, though punishment "may crush the author," yet it "promotes the book," as an inducement to the imposition of a censorship. On the other hand, when Milton compares projects for licensing the press to "the exploit of that gallant man, who thought to pound up the crows by shutting his park gate," it is to assert and justify the liberty of *unlicensed* printing. And notwithstanding the degree of countenance which Lord Bacon has given to the errors of his time respecting the doctrine of constructive treason, and the iniquitous proceedings of the court of Star-Chamber, there are passages in his works which savour of a plenitude of toleration for which the nineteenth century is not *yet* ripe, but which seems much more in harmony with the magnanimity and sublime anticipations of that great man, than those weak compliances, which are less themes of reproach than subjects of regret to his posterity. Thus he declares, that "a prohibited writing is thought to be a certain spark of truth, that flies in the face of them who seek to tread it out." And having related, with implied approbation, the execution of Sir W. Stanley, for words spoken in private conversation over-ruling the King's title, either by the line of Lancaster, or by act of parliament, he proceeds :

But the fall of this great man, being in so high authority and favour, as was thought, with the King; and the manner of carriage of the business, as if there had been secret inquisition upon him for a great time before; and the cause for which he suffered, which was for little more than saying, in effect, that the title of York was better than the title of Lancaster, which was the case of almost every man, at the least in opinion, was matter of great terror amongst all the King's servants and subjects; insomuch, as no man almost thought himself secure, and men durst scarce commune or talk one with another, but there was a general diffidence every where: *which nevertheless made the King rather more absolute than more safe.* For bleeding inwards, and shut vapours, strangle soonest and oppress most. Here-upon presently came forth swarms and volleys of libels, *which are the gusts of LIBERTY OF SPEECH RESTRAINED*, and the *females* of sedition, containing bitter invectives and slanders against the King and some of the council;

for the contriving and dispersing whereof, after great diligence and inquiry, five mean persons were caught up and executed.<sup>14</sup>

Before the spirit of a nation is utterly broken, such cruelties are not merely gratuitous, but generate that very reaction which it is their purpose to subdue. It is while the contest between freedom and slavery is still maintained,—while the blood of martyrs continues to foster the cause for which it was shed, that *punitis ingenti gliscit auctoritas*;<sup>15</sup> for Tacitus was compelled to record, that despotism had so completely triumphed over Roman virtue, as to leave neither writers nor readers among them. “Dedimus profecto grande patientiæ documentum, et sicut vetus ætas vidit, quid ultimum in libertate esset, ita nos quid in servitute, adempto per inquisitiones, et loquendi audiendique commercio.”<sup>16</sup>

It is, therefore, a vain hope to dissuade those who are armed with power, from encroachments on the liberty of the press, by urging the impossibility of the evil against which they combat. Nay, it may be questioned whether the progress of national decline is not more rapid than national advancement. “Ut corpora lentè augescunt, citò extinguuntur, sic ingenia studiaque oppresseris faciliùs, quam revocaveris. Subit quippe etiam ipsius inertie dulcedo: et invisa primò desidia, postremò amatur.”<sup>17</sup> And though Englishmen and their offspring have afforded the most splendid examples of successful resistance to arbitrary power, yet there was a time, even in England, respecting which it is still disputed whether more skilful management on the part of the tyrant might not have consigned the nation to a long night of slavery. The affirmative side of this question is favoured by the great steps taken by Charles II. and his successor, the disuse of Parliament, the censorship of the press, and the judicial slaughter of all who seemed to meditate designs, or to harbour thoughts of resistance. On this subject, the judgment of contemporary writers may be entitled to more weight than the speculations of men far removed in time from the persons and events of which they treat; and, therefore, we submit the following extract from one who wrote a few years after the Revolution:

It is so far from being impossible that a people may be thus imposed on to their utter ruin, that it is probable another generation, seeing nothing but the royal prerogative highly magnified, may be bred up with the opinion of being born slaves. And were we not almost brought to that pass in the late reigns, when nothing came out with allowance, but what was to justify such opinions? And if some good men, especially about the time of the Revolution, had not had the courage privately to print some treatises, not to mention the Prince of Orange's Third [or spurious] Declaration, to undeceive the people, and to make them see the fatal consequences of those doctrines which, by the restraint of the press, passed for divine and sacred truths, the nation had tamely submitted to the yoke. And as it cannot be denied but that those papers, in a great measure, opened our eyes, so it may justly be hoped that none who saw the miserable condition that the act for regulating the press would have brought us into, will be

<sup>14</sup> Hist. of Henry VII. p. 301. Ed. of 1826.

<sup>15</sup> Annal. IV. 35.

<sup>16</sup> Vita Agricolæ, sec. 2.

<sup>17</sup> Ibid, sec. 3.

instrumental in re-establishing that law. . . . *Had not the late King tacked popery to slavery, he might, with the greatest ease imaginable, have enslaved us; and methinks the danger we have so miraculously escaped should fright us from ever enacting any of those methods into a law that so much contributed to that danger.*<sup>18</sup>

*To the Editor of the Oriental Herald.*

SIR,

April 4, 1826.

THE following Lines, written on a sad occasion, of which I have still too lively a recollection, were found among the papers of a literary friend; and as they have never been in print, I beg leave to offer them to your acceptance.

SEXAGENARIUS.

LINES\*

*Written October 1810, on reading the appointment of the Walhamstown to sail again for India.*

"Sunt lachrymæ rerum."

Go, ship! unheeded now, though once so dear,  
Wafting o'er India's seas my venturous boy;  
A father's friendly voice no more to hear,  
No more a mother's tenderest cares to employ.

The brothers' sports, the sisters' flow of soul,  
To join no more in sweet domestic bands,—  
For these, a naval despot's harsh control,  
A stranger's reckless gaze in foreign lands.

And when for England bent with prosperous course,  
Dear scenes of home gay flattering fancy gave,  
To fall, subdued by fever's rapid force;  
His destined home, alas! a watery grave.

Go, ship! unheeded now; yet speed thy way,  
While some fond parent waits a son's return;  
As late, with hope, I sooth'd each hour's delay,  
Nor thought my child had reach'd another bourn;

That bourn from which no voyager shall come,  
Till Time's tempestuous seasons all are fled,  
Till a Redeemer's voice unclothe the tomb,  
And, powerful, bid the sea resign its dead.

Yet, as my swift-wing'd moments swifter fly,  
By cares and ills impell'd, till life be o'er,  
May faith repress affection's rising sigh,  
Wait the great teacher Death, and God adore.

<sup>18</sup> A Letter to a Member of Parliament, showing that a restraint on the press is inconsistent with the Protestant religion, and dangerous to the liberties of the nation.—5. *Parl. Hist.* App. No. 13.



### COLONEL LEAKE'S OUTLINE OF THE GREEK REVOLUTION.

THE interest which the Greek revolution excited, when it first broke forth, has now almost entirely subsided, or is kept alive in the breasts of those few only who think calmly and feel powerfully in times of political perturbation. The fanciful and the imaginative, perpetually aiming a roving arrow at novelty, have now passed from this topic, as the bee from an exhausted honey-comb, to touch something more fresh or more in fashion. One meets with very few Sonnets now, or Stanzas, to Greece, or the names which her language and literature have sanctified. The popular topic is continually changing. But those minds which immediately grow tired of a subject so soon as it begins to be familiar with the public, are more fastidious, perhaps, than wise; for though peculiarly susceptible hearts may love at first sight, yet there are but few, we imagine, who comprehend the bearings of a political question so rapidly. Things must come before us again and again, be viewed, now in this light, and then in that, and have the benefit of many interpreters, before they can make themselves understood. The public, indeed, and the far greater part of those who undertake to think and feel for the public, are, at present, very much in the situation of the Lord Chancellor, having a great many more cases before them than they can ever pass judgment on. However, when a man imagines he has any thing interesting to say, it is to this court, occupied as it is, that he must come; and though, in explaining the eternal interests of his species, his voice should be drowned by the clamour of less dignified advocates, still he must have patience, and be content to gain an audience of the public when it has despatched its more importunate suitors. These suitors, too, it should be remembered, are more vociferous and eager to be heard, in proportion to the transitoriness of their ideas, and are borne with through pity of their necessities, as we tolerate, even on the Sabbath, those who supply the immediate wants of the community with perishable commodities; while authors and artists, whose works will keep, are indulged with no such liberty.

Nevertheless, the hasty and crude productions, to which every important political event is sure immediately to give rise, are by no means those which should first occupy the attention of critics, who know how difficult a thing it is to judge correctly of style and composition. The greater number of those books which have appeared on the Greek revolution, have seldom, it is true, been regarded as literary compositions, but merely as rude memorials of current events, written, not to acquire the fame of an author, but merely to satisfy the ardent curiosity of the public. To say how far they were capable

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<sup>1</sup> An Historical Outline of the Greek Revolution, with a few Remarks on the present State of Affairs in that Country. By William Martin Leake, late Lieutenant-Colonel in the Royal Artillery. 8vo. London, 1826.

or incapable of doing so, was, therefore, all that was required of reviewers. We have now, however, a right to expect works of a different sort on Greece; works aiming at the dignity of historical compositions, displaying judgment and research, and, in turn, demanding much greater attention from those who examine them.

Colonel Leake's '*Outline of the Greek Revolution*,' though a little too brief, is something of this kind. It depicts with great force, and, apparently, with fidelity, the energetic beginnings of the struggle, and the characters of the parties engaged in it. It likewise accounts very rationally for the unfavourable view which most travellers have given of the modern Greeks: seeing the corruptest part of the whole community, and rarely forming a just estimate even of these, for want of a sufficient knowledge of the language of the country, and time to be reconciled to its peculiarities, they have caricatured, not painted, the Greeks, and thus generated in Western Europe an idea of that people which is totally false. To become acquainted with their real character, travellers should deviate into the most unfrequented parts of the country, where the least admixture of Turkish population exists, and more especially into the mountains, for there the conquerors never exerted a very powerful influence. The following passages regarding the Greek peasant, and the general population of the more unfrequented districts, are well worth the attention of the reader, as perhaps they may help to remove the false notions propagated by less impartial writers:

In every part of Greece the peasant's family derives some resource from the spinning of cotton and wool, and from the weaving of the coarse stuffs which serve for the greater part of their dress and furniture; and though his condition upon the whole is miserable, he is in general industrious, much attached to his family, anxious for the education of his children, and equal, if not superior, in intelligence to the peasantry of the most civilized countries of Europe.

The most remarkable contrast to the inhabitants of the plains of Greece, is to be found in those islands of the *Ægean* sea where there are no Turkish inhabitants, and in the mountainous parts of *Crete*, of *Laconia*, *Arcadia*, *Ætolia*, *Locris*, *Epirus*, *Thessaly*, and *Macedonia*. Here the Greeks bear the most striking resemblance, both in their virtues and defects, to their illustrious ancestors, as we find them depicted in antient history—industrious, hardy, enterprising, heroic, ardently attached to their homes and native country, living upon little, or lovers of wine and gaiety as the occasion prompts; sanguine, quick, ingenious, imitative, but vain, inconstant, envious, treacherous and turbulent. In some of the more mountainous parts of Greece, villages, and even whole districts, were left to their own management, or rather to that of acknowledged primates, who were responsible for the payment of the ordinary contributions, and who generally farmed those taxes from the Turkish government. In some parts of the mountains, not even the *kharadj*, or capitation, was regularly paid. In all these places, the principal heads of families had some share in the government, and the executive power was generally in the hands of those who had the greatest riches or most extensive connexions. As usually occurs in this form of society, the neighbouring villages, or the leading families in a village, were often engaged in quarrels, which had the important effect of inuring them to the use of arms.

In all accounts of modern Greece, the Albanians always make a prominent figure, and very justly, considering the part they have long acted in that country. Their character, however, and manners, as well as their origin, have been but imperfectly understood, as few travellers choose to trust themselves among such apostates and barbarians. We extract what Colonel Leake has said of their character and apostacy, which greatly contributed, he thinks, to retard the progress of Greece towards freedom :

The Albanians, on the other hand, who are the remains of the ancient Illyrians, a race in all times very inferior to the Greeks in the scale of humanity and civilization, and among whom Christianity had probably never taken a very deep root, have shown a much slighter regard for their religion since the period of the Ottoman invasion, although they have not had that degree of excuse for their apostacy, which the complete subjugation of some parts of Greece may be thought to have afforded to the Greeks. Half the Albanian nation has relinquished the Christian faith for that of Mohammed. The poverty of the soil prompting a large portion of the people to seek a subsistence abroad, and the military habits acquired in their domestic wars leading the greater part of them to prefer the profession of arms, their reputation as soldiers has increased as the Osmanlys have degenerated, until they have become the only effective infantry in the Turkish dominions, and are to be found in the service of almost every Turkish chieftain in Europe, Asia, and Africa.

This enterprising, poor, and mercenary people was not slow in perceiving the advantages attached to a conformity with the governing religion ; that it opened to them a road to all the distinctions which the Ottoman government affords, or at least that it facilitated the acquisition of a fortune, with which they might retire to their native mountains. Some of the chieftains, supported by their followers, obtained possession of small districts in Northern Greece, and even in the Moræa ; while others endeavoured to increase their power and possessions in Albania, where these acquisitions being generally made at the expense of their Christian neighbours, numerous families of the latter were forced to emigrate into Greece and other parts of Turkey in pursuit of subsistence by trade or agriculture ; while others, sometimes by whole districts at a time, converted their churches into mosques, made peace with their Moslem neighbours, retained their possessions, and became partakers of the advantages enjoyed by the profession of the Islam.

The apostacy of Albania having advanced in an increasing ratio, its effects have been most felt in the last half century, or at the same time that the moral and political changes, which we have already described in the Greeks, have been most remarkable. When it is considered therefore that, in this period, insurrections encouraged by an enemy of the Porte, have twice been quelled chiefly by the Musulman Albanians, and that the military strength of the Turkish government in Greece has of late years been derived almost entirely from them, it seems evident, that it is to the conversion of so large a proportion of the Albanian nation to the faith of Mohammed, that the Porte is indebted for having so long been able to maintain any degree of authority over Greece.

However the Turks may despise the Albanians as Moslems ; however they may detest them for their superiority in military qualities, and for the success with which their chieftains have generally maintained, in defiance of the Porte, their acquired authority in Greece and Albania, the community

of religious interests which unites all classes of Mohammedans against Christianity, has a corresponding political effect here as well as in every part of the Musulman world; for it cannot be doubted that the union of the Ottoman empire has been not less supported by the common fear and common hatred of Christians, entertained by the followers of Mohammed, all of whom, to the westward of Persia, look to the Sultan as the head of the church, than by the mutual jealousies of the great powers of Europe.

It will readily be supposed, from what has been stated, that the far greater part of the Albanian soldiers in the service of the Porte, or of the provincial governors in European Turkey, Asia Minor, Egypt, and Barbary, are Mohammedans.

Some Christian tribes, especially the Roman Catholics of the north of Albania, are occasionally found in that situation: but, in general, the Christian Albanian soldiers have either remained at home for the defence of their native districts, or have entered into the service of the Greek governors of the Ultra-Danubian provinces, or have joined the bands of robbers which infest various parts of European Turkey, or have been united to the Armatoli and Kleftes of Greece.

The first siege of Tripolitza, and the gradual growth of confidence among the Greeks, who had been so long used to dread the Turks as masters, are very excellently described. Taught by daily experience to estimate justly the courage and capacity of their enemy, the Greeks approached nearer and nearer to the city, repressed the excursions of the Ottoman cavalry, cut off their resources, reduced them to distress, and at length carried the place by storm:

The capture of Monemvasia and Neó-kastro, or Navarin, by the insurgents, in the beginning of August 1821, was followed by the investment of Tripolitza; of which operation, Ypsilanti, by virtue of his rank in the Russian service, assumed the management as far as that was possible among such a rabble, disobedient even to their native leaders, and still less likely to submit to a young man of whom those leaders were jealous.

Tripolitza, situated at the foot of Mount Mánalus on the edge of the plain which contained the ancient cities of Tegea, Pallantium, and Mantinea, was surrounded with a slight wall, flanked by towers at long intervals. At the south-western end a small citadel occupies a height, which is connected with the last falls of the mountain. In the towers and citadel were about fifty pieces of cannon, served by a company of artillerymen from Constantinople. Besides its own population of about 25,000, the town contained the Turkish refugees of Londári, with their families, and almost the entire population of Bardunia, a part of Mount Taygetus, which, like Lalla, near Olympia, had been colonized by Mohammedan Albanians. In addition to the armed men of these several people, were three or four thousand in the service of Khurshid Pasha, governor of the Moréa, about half of whom were Albanians. The command, if command it could be called, was in the hands of the kihaya, or lieutenant of Khurshid, the pasha himself having, by order of the Porte, joined the army before Ioannina, leaving his family at Tripolitza.

The Greeks at first were very inferior in numbers to their opponents; they had no cavalry; many of them were scarcely armed, and their besieging artillery consisted only of five or six cannon and two mortars, wretchedly deficient in their appurtenances, and managed by a few European adventurers. Under such circumstances, it is obvious that the best hopes of the Greeks were founded on cutting off the supplies of the town. But

their opponents had a formidable cavalry, and few of the Greeks were yet superior to that innate dread of their late masters, which had made them, on some late occasions, fly from about one-tenth of their number of the Turkish horsemen. At first, collected in irregular bodies under their several chieftains, they occupied the slopes of Mount Manalus. By degrees they approached nearer to the walls, took advantage of the cover afforded by the heights near the citadel, placed their ordnance in battery on the most commanding part of the hills, and at length, as their numbers and confidence increased, they effected a lodgment in some ruined villages in the plain to the eastward of the city; and having thus prevented the Turkish cavalry from foraging at a distance from the walls, the distress both of the garrison and inhabitants soon became excessive.

In the middle of September, the besieged were encouraged in their resistance by the intelligence of the arrival of the Turkish fleet, which, after making an unsuccessful attempt upon Kalamáta, and, after throwing supplies into Mothóni and Koróni, had been joined at Patræ by some Algerine ships, as well as by the Kapitána Bay or Commodore, who had been employed on the coast of Epirus against Aly, and who brought a body of Albanians to Patræ. The besieged soon discovered, however, that little hope of succour was to be derived from that quarter, for Ypsilanti having proceeded to occupy the Arcadian passes towards Patræ, no attempt was made from thence to relieve Tripolitza, and its investment was never interrupted. One cause of this inactivity on the part of the Turkish commander was the failure of the attempt, which had been made in the early part of the month by their army in Thessaly, to penetrate into Bœotia. They had been met by the insurgents at Fondana, in the pass of Mount Cnemis, leading from the head of the Maliac gulf into Phocis, and had been obliged to retreat with considerable loss; no hope remained, therefore, of any co-operation by the way of the Isthmus.

As the distresses of the besieged increased, so also did the disagreements among their several leaders. Attempts were made to enter into a treaty of capitulation, but the absence of Ypsilanti, and of the Europeans who accompanied him, having put an end to the little resemblance to a regular army, which had before existed, it was impossible to arrange any terms in which the besieged could have the smallest confidence. From this time there seems to have been an end to all discipline and concert of measures on both sides. The principal men of the city thought only of saving themselves and families, and the Greek chiefs of turning the circumstances to their personal advantage. The Albanians in the service of Khurshid made a separate agreement for their unmolested return to Albania. Several rich Turks and Jews purchased the promise of a safe conduct from Kolokotróni and Matromikhali; but these, though they received the price of their engagements, were never able to execute them. On the 5th of October, some of their followers, having discovered what was passing, and being resolved not to be defrauded of their expected plunder by the selfish avidity of their leaders, assaulted the walls on the northern side, and were speedily followed into the city by all the besieging forces.

It is known that great atrocities were perpetrated on this occasion by the Greeks; for whatever they have done amiss has found very careful chroniclers in this country: but, says Colonel Leake,

If the savage customs engendered by long submission to an Oriental yoke appear at this period of the contest in all their deformity, the subsequent history of the insurrection seems to indicate, that they are already giving way to the effects of a consciousness of the dignity of the new position

which the people is assuming : it can hardly be doubted, that these sentiments, combined with a better knowledge of regular warfare, which the volunteers from civilized Europe will introduce among them, together with a longer practice of war, which cannot fail to call forth the nobler qualities of the people, will cause the selfishness and cruelty of the robber gradually to give place to a conduct more liberal, and to a more patriotic and enlightened feeling for the general welfare of Greece.

Every person in Europe has some notion of the relative situation of the Greeks and Turks on the breaking out of the war, but few, perhaps, understand correctly the nature of the difficulties which originally stood in the way of Grecian emancipation. Those which have since sprung up from quarters where they were least to be expected, were of course not contemplated by Colonel Leake in the following passage, in which he balances the chances the Greeks had of success in the beginning of 1822 :

The spring of 1822 was the crisis of Grecian liberty, and its cause appeared to many persons little better than desperate. On one side was a power larger in extent of territory than any in Europe ; which had maintained its station, for near four centuries, in one of the most commanding positions in the world ; whose integrity was admitted by all the other great powers to be essential to the general peace ; ready, by the nature of its government, to enter upon war at a short notice, and furnished with all the fiscal, military, and naval establishments of a monarchy of long standing. On the other, were the inhabitants of a small province of this extensive empire, without any central authority, without cavalry, artillery, magazines, hospitals, or military chest ; whose whole military force, in short, consisted only of a rude undisciplined infantry, armed with an awkward long musket, to which was added, according to the circumstances of the individual, pistols, a dagger, or a sword ; ignorant of the use of the bayonet, acknowledging no discipline, and more uninstructed in war as an art than the Greeks of the heroic ages ; led, indeed, by men possessing courage and enterprise, and some of the essential qualifications of command, but who were scarcely less ignorant and unenlightened than their soldiers, and too selfish to lose any opportunity of enriching themselves, or to preserve that harmony with the other leading men, which was so necessary in the dangerous position of the country.

There were circumstances, however, which rendered the inequality between the two parties more apparent than real ; and there were others which, although more distant, perhaps, in their effects, are so powerful, that they will probably have the effect of excluding the Turks from the Peloponnesus for ever, and may even ultimately expel them from Europe.

Among the former may be reckoned the degeneracy of the present race of Turks as soldiers ; the ignorance and inexperience of their commanders, often raised from situations the least fitted to give military knowledge ; the total want of subordinate staff officers, or of officers of any kind qualified for the conduct of a campaign ; their deficiency in any organized system of supplies in the field ; the corruption of the government in every gradation ; and, though last, not least, the poverty of the Porte, which has long disabled it from supporting a corps of Janissaries much greater than is necessary for the garrisons of the empire ; thus leaving an army in the field to depend principally for its numbers upon the followers of the provincial governors, added to the feudal and local militia, who, from antient custom, are exempted from keeping the field between November and May, and who

never fail to return home in the winter. And hence it has occurred that, for many years past, the Porte has been unable, except, perhaps, on the northern frontier, where are the principal garrisons of the Janissaries, to keep together an army of 10,000 men for more than six months, or even for a shorter time, unless when plunder is immediately in view. So great, nevertheless, are the resources of such an extensive empire as Turkey in supplying its yearly losses, and in thus enabling the government to repeat its attacks indefinitely, that its deficiencies might not have much affected the final result against a people more unprovided than themselves, had not that people been a Christian nation, and situated on the borders of Christian Europe, where religious sympathy, although it may not have been very warmly felt at first, must at length be excited as the contest proceeds, and from whence assistance will, at first secretly, and at last openly, be afforded to struggling fellow-Christians, until public opinion throughout Europe shall identify the success of the insurrection with the cause of Christianity itself.

While the Greeks show a remarkable quickness in adopting the improvements of European art and science, of which we have a striking example in the use they have already made of fireships; the Turks, whose patriotism chiefly shows itself in bigotry and the persecution of all other religions, and whose government, however desirous, has always found it impossible to give the necessary encouragement and protection to Europeans willing to assist them with their military skill, will be left to its own exertions, and the precarious aid of the Musulman powers of Africa.

It is obvious that a contest between two people such as we have just described, cannot resemble war as it is carried on between two of the civilized nations of Europe, equally practised in the art of war, and equally provided with its materials. A people possessing only an irregular infantry, cannot meet cavalry and artillery in the plains, but however adventurous they may be, are of necessity reduced to a defensive war in their own mountains. In like manner, the merchant brigs and polaccas of the Greeks, though well manned and skilfully conducted, cannot be expected to place themselves alongside the two-decked ships and frigates of the Turks. Many persons who have not considered these circumstances, have ascribed to a want of courage and enterprize on the part of the Greeks, that which has been the inevitable consequence of the military position and resources of the two people.

In the beginning of 1822, the Greeks had already begun to feel the benefit of some of their advantages; the good wishes and good offices of the people of Europe were shown by meetings in various countries to assist the cause with officers, ammunition, and money; while the unanimity which the hope of liberty, and a single year of successful insurrection had excited in the nation itself, was no less manifested by the assemblage of deputies from every part of insurgent Greece, who, having met at Piadha, in the Epidauria, on the 1st January 1822, promulgated their independence, and instituted a provisional constitution.

Former works having occasionally led us to give some detail of the events which have taken place in Greece, we shall entirely abstain from citing any of Colonel Leake's narrative. Besides, it is never desirable, when a work is in itself brief and ably written, to attempt a naked sketch of what it unfolds; that would be to convert a review into a table of contents, and to injure both author and reader. Both outlines and extracts are designed merely to show, either that a book

is worth purchasing, or that it is not; and in both cases, extracts impartially chosen are most to be relied on: for in making an outline of a work, the critic may give it almost any turn he chooses; whereas, in extracts, though they be the *disjecta membra* of an author, the genuine production is partly visible. On this account, whenever we believe it not necessary to enter into a formal dissertation on the subject of a work, which it very seldom is, we content ourselves with extracting a few passages indicative of the author's capacity and style, and praise or discommend the work as it seems to deserve.

Perhaps it may be somewhat premature to speculate on the government which Greece should choose for herself, before it is quite certain that she shall possess a government of any kind; but still it is worth while to know what form of government judicious men think best suited to her exigencies. There has, however, been great diversity of opinion on this subject, some recommending monarchy, some republicanism; but we observe that both Colonel Stanhope and Colonel Leake are among the latter; and this we think a strong argument that the opinion is well founded. However, the passage of the work before us, in which Colonel Leake states his sentiments, and his reasons for entertaining them, shall be laid before the reader; though we will venture to differ with the writer in respect to the intimate connexion which he believes to exist between the "physical conformation and geographical position" of a country, and the form of government suited to its inhabitants. Our opinion is, that liberty, or, if the reader pleases, republicanism, is best suited to all countries, their physical conformation and geographical position notwithstanding. But let the Colonel speak:

Although a republic may not be the mode of government under which a successful insurrection most speedily settles into good order, as the example of Spanish America has sufficiently shown, we must admit that it seems to be the most natural government for such a country as Greece; that as physical conformation and geographical position are the primary causes of the permanent form of the social system of every nation—thus giving a limited monarchy to the sea-girt England, a more military executive to the extensive land-frontier of France, and a federacy of republics to the mountains of Switzerland—so a social compact somewhat similar to that of the latter country, securing a central authority sufficient for maintaining the foreign relations of Greece, and for directing the national security, but leaving much to be executed by the local government of each island or province, appears to be that which would be the best adapted to the mountainous intersections, the commercial coasts, the numerous islands of Greece, and to the great variety which those peculiarities have caused in climate, productions, manners, occupations and interests. The example of antient history, and the very general feeling of the people, as shown in their almost spontaneous assemblage from the several islands and districts in congress, seem to concur in indicating that Greece, if she succeeds in establishing her liberation, is destined to be a federative republic. But it cannot be concealed, at the same time, that this republican tendency causes the situation of the people, at the present moment, to be still more beset with difficulties than it would otherwise be, by rendering less easy that



ability to maintain order which must precede the acknowledgment of their independence by civilized Europe; for it is to the same physical peculiarities of the country which have just been alluded to, that we may trace the real origin of that *στάσις* and *διχόνοια*, that spirit of faction and dissension, which characterized the ancient Greeks; and which has been conspicuous from the beginning of the present contest, preventing the exertions of the best men from having a full effect, suppressing all combination of useful measures, impeding the formation of a central authority, and leaving success to depend upon the rude uncombined exertions of the national will.

But if the Greeks have shown a want of union as great as that of their ancestors at the time of the Persian invasion, it cannot be denied that the difficulties of their situation are infinitely greater; and that while the contest in which they are engaged is still more truly an *ὅλην πόλιν ἄγων*, than when these words formed part of the song of the Greeks, as they advanced to battle at Salamis, their previous condition has left them little hope of finding among themselves any of those great characters, which led their ancestors to victory and peace.

Connected with the progress of the Greek revolution, is a subject which we feel some repugnance to touch upon, so disgraceful is it to Christendom and civilization; we allude to the presence of French officers in the army of the Egyptian Pasha. Previously to the interference of Mohammed Ali, there was great reason to believe that the Greeks would be able speedily to establish their independence; and even when it was known that he was actively engaged against them, no great detriment to the Grecian cause was expected from that circumstance; but so soon as the news that European officers commanded and disciplined his forces arrived, every friend to Grecian freedom perceived that the chances were vastly multiplied against its establishment. However, though the cause of the Greeks was deeply wounded by this blow, it did not at first appear that any thing more than private baseness and avarice had been concerned in inflicting it, and it was therefore hoped that the injury, however great, would leave the national honour of every European nation untouched. But was it possible for mischief to be hatched in Europe against the liberties of mankind without a Bourbon being concerned in it? The French Government plainly countenance the mercenary and dishonourable conduct of its military officers; and, moreover, heaps tenfold disgrace on themselves by participating in the vile gains acquired by draining out the life-blood of a brave people, France has stooped to become the arsenal of the Pasha of Egypt; Charles X. is now the purveyor and dock-master of Mohammed Ali; and therefore it is no wonder that French officers are to be found sufficiently degraded to become his hirelings in Greece. But, at bottom, there is nothing extraordinary in the conduct of these officers; for accustomed under Napoleon to be the instruments of despotism, they merely pass from the service of one despot to another, still hoping by every change to acquire additional wealth, the only object kept steadily in view by such degraded instruments.

It is quite evident that the French Government likewise is, what it is accused of being—the accomplice of Mohammed Ali in his war against Christianity in Greece. But his Most Christian Majesty is somewhat ashamed of his colleague; for, in shipping off his officers and chests of arms, he does so far respect public opinion as to perpetrate his meanness clandestinely. When ships of the royal French navy sail from Alexandria, their appointments and ammunition are increased, and the surplus artillery, muskets, &c., are consigned to the Moslems. Chests of arms also, destined for Egypt, are sometimes sent to Marseilles, but afterwards shipped from a different port, that the consignment may remain secret. This is broadly asserted in the most respectable French papers, and the Government have not ventured to contradict it.

To this dishonourable conduct of France, the late ill success of the Greek arms is to be attributed; but its intentions, even to the Pasha himself, are suspected of being treacherous and hollow; for although Colonel Leake does not positively assert that it has any ambitious designs upon Egypt itself, he seems to consider the thing by no means improbable:

The influx of French officers into Egypt may lead to important consequences, unless Mehmet Aly should take the alarm, before the Europeans have made such a progress in organizing an army similar to that of the Native troops of British India, as could not fail to give them great power and influence in the country. It is not intended to infer that the French Government has any ambitious designs in encouraging this emigration; perhaps it has no other view at present than that of finding employment for a large portion of the needy survivors of the army of Bonaparte. But it is not difficult to conceive that circumstances may arise out of the proceeding, well calculated to suggest such designs. The strictest virtue cannot always resist temptation; and nations have been known, by a dexterous management in peace, to regain what has been lost on the field of battle.

The Greeks have now so many motives to carry on the war, whatever disadvantages they may labour under, that it is probable nothing short of their extermination can subject Greece to the Ottoman yoke again. Court hirelings may say what they please of their degeneracy, but no nation in Europe has ever submitted to greater privations, or undergone more hardships, or fought more gallantly, to achieve its independence, than the Greeks of the present age. It is difficult to conceive the miseries they undergo daily, wherever the seat of war happens to be; their sufferings too are increased by their own ignorance and obstinacy, as properly to be reckoned amongst their misfortunes as any other calamity; but the habit of suffering in a glorious cause ennobles the sufferer; and if the Greeks entered the present struggle with a more than ordinary share of defects, they will emerge from it, if they emerge with success, an elevated and martial people. The virtues of their ancestors all pointed to the science of war, of all human sciences the most important, in the present condition of the world; and if they now achieve their freedom, the knowledge and use

of arms acquired in the conflict will hereafter secure them from the yoke. We believe, with our author, that the liberty of Greece will, in the end, be established, though the contest may still be long and sanguinary. The passage in which Colonel Leake states his reasons for this opinion, is well worth the attention of the reader :

Mehmet Aly is yet far from having overcome those numerous obstacles which the Turkish system, both civil and military, which so often renders the Turkish councils abortive. The desolation of the Moréa, together with the inefficacy of a Turkish commissariat, will place perpetual obstacles in the way of Ibrahim's progress, and will render the arduous task of subduing the mountains of Greece still more difficult. That tractability of disposition which has enabled Mehmet Aly to mould his Egyptians to the European discipline, is allied to an inferiority in hardihood and energy to the European and Asiatic Turks, with whom similar attempts have always failed. The Egyptians are precisely the troops least adapted to face the active and hardy Greek in the rude climate, the barren soil, and the strong positions of his native mountains. We cannot easily conceive that Greece is destined to be subjugated by Egyptians. Even Sesostris drove his conquering chariot no farther than Thrace; nor will those who have had an opportunity of comparing the Greek with the Egyptian of the present day, think it probable that a conquest will now be effected, if it depends upon the military qualities of the two people. In short, as not even Spain in the time of the Romans was better adapted for prolonging an obstinate contest, by the strength of the country and the elastic character of the inhabitants, there is the fairest reason to hope that Mehmet Aly may be tired of his present expensive undertaking before he has made any great progress towards its completion; a result which is rendered still more probable, if it be true that his commercial speculations with England are likely to be much less profitable in the present than they have been in the preceding year. If, with all the exertions of the Pasha of Egypt, the Porte should now fail in becoming masters of the two great bulwarks of the insurrection, Mesolonghi and Nauplia, it may be said that they have put forth their utmost exertions in vain, and that their future hopes will rest upon the effects of perseverance, and of the superiority of their foreign assistance.

In addition to the two principal advantages which have been mentioned, the cause of the Greeks derives considerable strength and hope from the impossibility on their part of submitting to such a state of vassalage as they were before subject to. They know too well, that to give the Turks such a power would be to consent to their own destruction; and they did not want the declaration of Ibrahim to be assured, that if he should acquire the government of the Moréa by right of conquest, which the Porte has promised him, he would exchange the enslaved survivors of the peninsula for a colony of Egyptians. Such a termination, however, all history, as well as common reason, tell us is impossible, if the Greeks have but "the unconquerable will and courage never to submit and yield." The utmost that can be expected is the retreat of a great part of the population of Greece into the mountains, a continuance of predatory warfare on both sides, and the desolation of every other part of the country, except, perhaps, the immediate vicinity of the fortified places. Some politicians will perhaps be inclined to say, that however deplorable to the people of Greece such a result might be, it would be better that they should suffer, than that the general peace of Europe should be compromised. But supposing the

interior continent of Greece to be thus comfortably settled for the general repose, there still remains an extensive sea-coast; in fact, the numerous islands, the winding shores, and the great proportion of maritime outline to the size of the country, render the Greeks more peculiarly a naval people than any other in Europe. If forced to the extremity of distress, they must be pirates by sea, as well as freebooters by land. However disposed the nation might be to a better course, however deserving of a better fate, necessarily force the maritime population to those habits of life, which are native to Greece in a savage state, and to which its rocky creeks and islands necessarily afford, and ever will give, the greatest facilities. No alternative would then remain for the powers of Europe, but to give up all commercial pursuits in the Levant, or to suppress the Greek piracies by force; in other words, to assist the Turks in exterminating them from their native islands.

With this extract we shall close our notice of the 'Outlines of the Greek Revolution,' an excellent and valuable work, full of instruction and elevated sentiment, and written in a style extremely elegant and perspicuous. We earnestly recommend all those of our readers who desire to comprehend thoroughly the Grecian character, and the nature of the country which has always assisted to develop it, to peruse this interesting little work most attentively. We allow it is too brief; but it is all it professes to be, and more.

## HYMN.

FAINT in the west is the day-star declining,  
Soft its last rays o'er the waters are shining;  
Darkness approaches with hurrying tread,  
To reign o'er the world in silence and dread;  
And Safety and Innocence fly for a time,  
To yield up their places to Terror and Crime.

Oh! hear us, O Lord, although creatures of dust,—  
Feeble, and fainting, in thee do we trust;  
Prostrate before thee—Oh! be it thy will,  
To shield us from danger, to save us from ill;  
Let us sleep on in peace while the night-taper burns,  
And awake to thy worship when daylight returns.

L. L. L.

## EXPEDITIONS TO TIMBUCTOO.

WHILE two British expeditions are employed, from various points, in penetrating to the great city supposed to be seated on the river Timbuctoo, or Niger, in Central Africa, all that can throw light on the course of this river must be interesting. It would be curious if the earliest statement on the subject,—that of Herodotus, the father of history,—should prove correct. The following account of the source of the Nile he gives as an *on dit*, in his second Book concerning Egypt, without appearing to place much reliance upon it :

From Meroë,<sup>1</sup> you arrive in the country of the Automoles, in as many days' navigation as you have taken to reach the metropolis of the Ethiopians from Elephantina, (120 days in all.) These Automoles call themselves *Asmach*,<sup>2</sup> which, translated into Greek, signifies "those who stand on the left of the king." The course of the Nile, therefore, is known for the length of a four months' journey, partly made by water, and partly by land, without comprising the course of the river in Egypt Proper; for if the calculation be precisely made, it will be found that it takes exactly four months to reach the country of the Automoles from Elephantina. It is certain that the Nile comes from the West; but nothing certain can be ascertained of what is beyond the country of the Automoles, the excessive heat rendering this country desert and uninhabited. The following statement, however, I obtained from some Cyreneans, who having, as they told me, been to consult the Oracle of Jupiter Ammon, had an interview with Etearchus, king of the country. The conversation accidentally turned on the sources of the Nile, and it was asserted that they were unknown. Etearchus related, that one day some Nasamons arrived at his court. The Nasamons are a people inhabiting the Syrtis, and a country of small extent to the east of the Syrtis. Having asked them if they had any news to communicate respecting the deserts of Lybia, they informed him that some young men of mature age, belonging to some of the most powerful families of their country, prompted by their enthusiasm, took it into their heads, among other extravagances, to choose, by lot, five from among them to explore the deserts of Lybia, and try to penetrate farther than had till then been ever accomplished. These youths, supplied by their companions with plenty of water and provisions, traversed, in the first instance, the inhabited country. They afterwards reached a district full of wild beasts; and continuing their route towards the west for a considerable time, through a very sandy country, they reached a plain where there were trees. Having approached them, they ate some of the fruits of these trees, and while they were so engaged, a body of men, whose stature was beneath the middle size, fell upon them, and carried them off by force. They conducted them through some marshy districts; and after having traversed these, they

<sup>1</sup> The city of Meroë stands in an island of the same name, formed by the Nile, or Bahr-El-Abiad, the Astapus, or Abawi, and the Astaboras, or Tacazze, (according to Strabo and Josephus.) Mr. Waddington attempted lately to reach it, but was prevented going further than Wady Halfaia. Bruce says, that the Cushites extended a colony there from Axium, but gives no authority.—Vol. I. Book 2.

<sup>2</sup> The word, in Arabic, signifies the left side.

arrived at a city, all the inhabitants of which were black, and of the same size as those who had conducted them thither. *A great river, in which there were crocodiles, ran through this city from west to east.* With regard to this river, Etearchus conjectured that it was the Nile; and this seems reasonable, for the Nile comes from *Lybia*, and intersects it through the middle.

The first subject worthy of remark in the above statement, is, that the adventurers, young Cyreneans who undertook this expedition into Central Africa, proceeded from the same point (and in a similar direction) as the expedition under Lieutenant Clapperton. With regard to the men of small stature who seized the adventurers, they are not described as dwarfs, but as men under the middle size. The existence of such a nation has generally been considered as a fable; but we know that a dwarfish people (the Bosseinans) exist in Africa at the present day. As to the great river, which Etearchus conjectured was the Nile, there can scarcely be a doubt that it is the river Timbuctoo, or Cashnah of our old maps, and which we call the Niger.

The French geographer, Delisle, determines the sources of the Niger in his map. He represents it discharging itself into the ocean; but near it he places the sources of another river, which he also calls Niger, but the course of which is different. This river augments itself by passing through several marshes, and afterwards runs eastward as far as the lake Bournou, where it is supposed to be lost. The great difficulty is to discover whether it re-appears again, and joins the Nile, or forms the body of that river. If the story of Etearchus be worthy of credit, this is the case, and the Niger and the Nile are one. The lake Bournou may probably be that which Strabo calls the lake Psébo, which was, as he says in his 17th Book, a great lake beyond the isle of Meroë, and which is no great distance from the lake of Bournou. The above river is clearly the same as Juba, king of Mauritania, also took for the Nile, and the source of which was called Nigris (whence Niger). The manner in which Pliny speaks of it, scarcely admits of a doubt on this point, and merits some reflection:

The Nile has its source (says this naturalist, lib. 5, c. 9,) as far as Juba could discover it, at the foot of a mountain of Lower Mauritania, and this source is a great lake called Nihdia. What has occasioned the lake to be taken for the source of the Nile, is, that the same fish which are found in the Nile are observed here, and, amongst others, *crocodiles*; and likewise, at the time of the overflowing of the Nile, there are incessant rains in Mauritania. The river which issues from this lake is very soon concealed from view; and, for the same reasons, it is supposed to be the same which afterwards issues from a still larger lake in Casarian Mauritania. It then disappears from sight a second time, and is seen again only after twenty days' journey, *issuing from a source called Nigris. It then separates Africa from Ethiopia*, and continues to flow through the middle of the Ethiopian country, where it is called Astapus.

Pliny, shortly afterwards, adds, that the Nile separates into two branches, the left one of which is called Astaboras, and the right Astorabas, between which is the isle of Meroë. This last circumstance bears more strongly on the question than might at first view be ima-

gined. ~~any~~ makes a true island of Meroë. We are pretty certain that in this he is mistaken; but if we are led to conclude that he has mistaken the meaning of the Greek writers in what they have said of the Astaboras, and the Astorabas, we should certainly receive with doubt his inference, that the Astapus, of which, according to him, these two rivers are but branches, is the Nile. But the sources of the Astapus were known to antient authors. It is this river, said they, as we learn from Eratosthenes, (as quoted by Strabo,) which, flowing from a lake on the south, forms the body of the Nile in a direct line. If they had taken it for the Nile itself, they would have expressed themselves differently. Besides, having travelled so far, and in boats, they must have known that there was another river to the west of the Astapus, and which received it as it flowed towards Egypt. It is this western river then, the sources of which the antients sought, and which we at this day must seek, if we would discover those of the Nile. It was this which, Herodotus was told, had so long a course, that it flowed from the regions where the sun sets. It is this of which Etearchus understood the Cyreneans were seeking the source, when they sought that of the Nile; and whatever doubt may be entertained as to all the information required in the times antecedent to the discovery of the Astapus, it may at least be inferred, that when it was discovered, no further search would be made for the sources of the Nile, if it had been considered to be the Nile, as Pliny would have us believe.

But having shown that the testimony of the naturalist does not authorize the moderns to take the Astapus for the Nile, it may be affirmed, that the river which Etearchus took for the Nile, appears to be the same concerning which King Juba, after the most exact researches, came to the same conclusion, and which is at this day taken for the second Niger; the marshes, of which Etearchus was told, still subsist near its source. The name of Nigris, which was then given to that source, still attaches to it; and this second Niger separates Ethiopia from Africa, like that which Juba took for the Nile, and like that which the Nasamones informed Etearchus flows from west to east. Pliny speaks again in another place (lib. viii. 21) of the lake Nigris, and says, that it is "*apud hesperios Ethiopas*," (the western Ethiopians,) which agrees with what has been above remarked.

The result of Mr. Bruce's discovery is, that he mistakes the sources of the Astapus for those of the Nile. In doing this, moreover, he has merely copied the theory of the Portuguese Jesuit missionaries, who placed those sources in the territory of Sacala in Abyssinia. If he, therefore, be right, the merit is due to those missionaries, and the plume which his bulky volumes have snatched from their brows ought to be restored. He places the sources of the Nile near Geesh, in Sacala, in  $10^{\circ} 59'$  south latitude. Thence the river runs westward; afterwards to the north; then towards the east; crosses the lake Dembea, or Fazna. On issuing from this lake, it takes a long bend to the south-east, returns much below its source, reaches Catterma, near which, the river Belo joins it, and thence continuing its course

towards the north-west, it passes near Sennaar, which is on the left in descending.

The modern name of the river which passes near Sennaar is, according to Bruce, Bahr el Azergue; and, according to Browne, Bahr el Asrek; but this difference consists perhaps only in the pronunciation. It seems, however, that its real modern name is Abawi. This is the Astapus of the antients. According to Ptolemy, this river crosses the lake Gopé, which is the lake Dembea, or Tzana Bahr Dembea. It is on the western bank of this river that Sennaar stands, and not on the Nile, as Bruce and some other geographers have placed it. It is in about 15 deg. south latitude, though Bruce and Browne concur in placing it in 13½ deg. Thence the Astapus, or Abawi, runs to Harbagi, and, near Toutti, falls into the Bahr el Abiad, or White River. Bruce and Browne call the place of the junction Halfeta. It is this latter river which is the true Nile, the source of which has so long been sought in vain, as Browne clearly perceived. That writer says,<sup>3</sup> "the opinion of several authors, and the information I received from several experienced persons, having convinced me that the source described by Bruce was not that of the true Nile, it appeared to me important to seek the source of the more western river."

Whether this latter river, (the Bahr el Abiad,) is identical with the great western river described by Etearchus and Juba, and which may, as is alleged, flow through Timbuctoo, from a lake in Western Africa, is the great question now to be decided. All the probabilities appear to be in favour of the affirmative.

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#### A PERSIAN LOVE SONG.

LOVELIER art thou than the rose,  
When in Faium's mead it glows!  
Sweeter than Myrobalan,  
When the gales its blossoms fan!  
Guldustee! Guldustee!  
I am languishing for thee  
Far away in Zumistan.

With thy dark blue swimming eye  
Bluest violets dare not vie;  
But its glance strikes deeper than  
Tubangee,<sup>4</sup> or ataghan;  
Guldustee! Guldustee!  
I am languishing for thee  
Far away in Zumistan.

E. C.

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<sup>3</sup> *New Voyage into Upper and Lower Egypt*, Vol. I. p. 269.

<sup>4</sup> Musket.



# HISTORICAL SKETCH OF THE RISE AND PROGRESS OF THE BRITISH POWER IN INDIA.

## No. VII.

THE Company, whose affairs now commanded considerable attention in England, grew at length exceedingly jealous of the interference of Parliament with their concerns. They considered as dangerous and unjust, the act which, in 1767, had limited the amount of dividend, and when it was expired, vehemently petitioned Parliament against its renewal. However, notwithstanding that they had powerful advocates in both houses, another act was passed, which fixed the dividend at ten per cent. till February 1769. Meanwhile, sedulously avoiding to agitate the question respecting the sovereignty of India, they found means to procure, in April 1769, an act to be passed, conferring upon them the territorial revenues of that country for five years; in consideration of which they were to pay into the Exchequer 400,000*l.* annually. By the same act, the amount of dividend, and of the Company's exports to the East, was regulated; and it was also determined that, under certain circumstances specified, they should add to the loans already advanced to Government, the surplus of their receipts, at two per cent. interest.

Both the Company and the nation had been led by false statements to anticipate vast riches from their Indian possessions; of course disappointment followed upon the heels of these foolish hopes, and to disappointment succeeded resentment against their servants abroad, and a vigorous disposition to reform: for it may be observed, that even the East India Company, as often as it has suffered palpably from the mismanagement of its servants, has shown as violent a propensity to repress abuses as can be conceived. However destitute of humanity, honour, and justice it may be, it always calculates, with great nicety, its profit and loss, and feels extreme anger at missing any expected gain. On the present occasion, so great were the folly and madness of the Directors and Proprietors, that they resolved, after great debate and clamour, to send out to India three dictators, under the name of supervisors, in whose presence the authority of presidents and councils was to be suspended, to whose investigation every department of Government was to be submitted, and who were, by their mere will and pleasure, to regulate the Company's future interests in the East.

This extraordinary commission the Government considered illegal; and as the Company had applied for certain king's ships to protect their commerce in the East, it was replied, that the chief naval officer sent out by Government must be empowered to settle all maritime affairs, to treat with the Native princes, and, in reality, to exercise the principal authority in the political concerns of the country. In general, the Company are violent supporters of legiti-

mate rule, or, in fact, of rule of any kind; but on the present occasion, so far were they from entertaining any veneration for king or country, that they averred it would be better to surrender all their acquisitions into the hands of the Native princes, Hindoos and Mohammedans, than to be subjected to an officer of the British crown. Ignorant and insensible of the absurdity, the Court of Proprietors ventured to resist the claims of the Government; and, what is more extraordinary, ministers were weak enough to succumb to their paltry opposition. The supervisors, therefore, were sent out; but it is a singular fact, that neither they, nor the ship in which they were embarked, were ever heard of afterwards.

In 1770, the year in which Mr. Cartier assumed the government of Bengal, a dreadful famine happened in that Presidency, and cut off a third of the population. The Nuwaub Syef ul Dowla also died in the spring of the same year, and was succeeded by his brother Mubarek ul Dowla, a minor. To this prince, the same honours and revenues enjoyed by his predecessor were allowed by the President and Council. But the Directors disapproved of this: they thought that, considering he was as yet a defenceless child, their servants might have taken what advantage they pleased of him; and actually taunted the Bengal Government with an adherence to principle, which was quite unintelligible in the India House. In conclusion, they ordered that his pension, during non-age, should be reduced to sixteen lacs of rupees annually, lest, as they expressed themselves, the surplus should be wasted on "parasites and sycophants," or be hoarded up—"a consequence still more pernicious to the Company." They now thought proper also to abrogate the regulations by which they had formerly reserved the inland trade to the Natives, and laid it open with equal privileges to individuals of all nations.

Meanwhile, the Government of Bengal, through improvidence or necessity, was contracting enormous debts, of which full intelligence was conveyed to the Directors. In spite, however, of this, and with the knowledge that large bills were drawn upon them, for which they could not provide, the Directors, seconded by the stupid avarice of the Proprietors, raised the dividend to twelve, and afterwards to twelve and a half per cent., the highest amount allowed by act of parliament in the case of a surplus revenue. These proceedings naturally led to the greatest embarrassments. Upon calculation, it was found, in July 1772, that, making an exact estimate of the payments to be made in the course of the next three months, and the cash that could be provided for the purpose, there would be found in the Company's treasury a deficiency of 1,293,000*l.* sterling. Having gratified their own insatiable cupidity by fraudulently increasing the dividend, the Directors now applied to the Bank for loans, one of 400,000*l.*, and a second of 300,000*l.* Of the latter they could obtain no more than 200,000*l.*; but, possessing so much, they became bolder, and in the August of the same year applied to ministers, representing the lamentable condition of the Company, and petitioning for a loan of at least a million sterling from the public.

The conduct of the Company and their servants, and their mutual crimination, had already excited the most violent suspicions in the people; and even the ministers, as was apparent from the tone of the King's speech in the preceding session, were becoming of opinion that the mal-practices of the Leadenhall-street merchants at length called for some interference of the legislature. A motion was made, in March 1772, for leave to bring in a bill for the better regulation of the Company's servants, and for improving the administration of justice in India. It was urged by the Directors, that the powers they already possessed were insufficient to repress the insolence of their servants; and they now, therefore, desired authority for sending out to India a chief justice, a number of puisne judges, and an attorney-general, that justice might be administered, on the English model, throughout the Company's territories. The motion, which likewise respected the regulation of trade, proceeded from the Deputy-Chairman of the Company, who, in pointing out the absurdity of men's uniting in themselves the character of merchants and governors, furnished a weighty argument against suffering the sovereignty of India to remain practically in the hands of his colleagues. During the debate which arose upon this motion, Lord Clive vehemently inveighed against both the Company and their servants; but although it appeared that these were sufficiently criminal, it was not clear that he himself was better than the worst of them. It seemed to be a dispute between disappointed banditti.

Public opinion now demanded investigation; the Deputy-Chairman's bill was thrown out, and a select committee appointed to inquire into the affairs and policy of the Company. Although Parliament had thus consented to investigate the concerns of the Company, that most wrong-headed and pernicious body still proceeded in its old track of policy, and, during the recess, resolved upon appointing new supervisors, six in number, to be despatched forthwith to India. In this act of madness they were overruled by Parliament, which informed them, in answer to their sophistical clamours about property, that their privileges must be set aside whenever, as in the present instance, they were detrimental to the public good.

The Company now urged their petition for a loan of 1,500,000*l.* for four years, at four per cent. interest; and named certain conditions they would consent to submit to, in consideration of obtaining it. Among the propositions of the minister, (who offered them a loan of 1,400,000*l.* at four per cent.,) was one which totally overthrew the prudence of the Company: it was that by which they were to be allowed, under certain conditions, to retain possession of their territorial acquisitions for the six years which remained unexpired of their charter. This, they perceived, was decidedly laying claim to those territorial acquisitions; and against this act of despotism, as they termed it; and all the other contemplated encroachments of the Government, they petitioned and exclaimed in the most vehement manner. Their virulence, however, availed them nothing; for so far was the minister from contenting himself with what had already been

proposed, that he now meditated to change entirely the constitution of the Company: the qualification to vote in the Court of Proprietors was to be raised from 500*l.* to 1000*l.*; every Proprietor possessing 3000*l.* was to have two votes; possessing 6000*l.*, three; possessing 10,000*l.*, four; only six of the Directors were to go out of office annually; the Government of Bengal, Bahar, and Orissa, was to be vested in a governor-general, with a salary of 25,000*l.* per annum, and four members of council, with 8,000*l.* each; all the other Presidencies to be subordinate to that of Bengal; a supreme court of judicature to be established at Calcutta, consisting of a chief justice with 8000*l.* a-year, and three other judges, with each 6000*l.* a-year, appointed by the crown. The first governor-general and members of council to be nominated by Parliament, and to hold their office for five years; after which, the nomination to be exercised by the Directors, though the approbation of the crown would always be necessary; the whole of the Company's political correspondence to be laid before the ministry; the governor-general, the members of council, and judges to be excluded from all commercial pursuits; and no person in the service of the King or of the Company to receive presents.

It was now the turn of the East India Company, the most monstrous and oppressive body known to modern times, to exclaim against the tyranny and injustice of Parliament: they treated its decrees with the most opprobrious language; spoke of the subversion of the constitution; and most absurdly called upon the people to uphold them in their iniquitous pretensions. However, their noisy opposition and ridiculous rage were equally unavailing; the ministry were completely successful, and, whatever was the merit of their measures, had the satisfaction to humble and mortify that insolent body of monopolists. The two acts embodying the propositions above mentioned, received the royal assent in the middle of the summer of 1773, and their operation was to commence, in what concerned the home-business, from the 1st of October 1773; the foreign, not till the 1st of August 1774. There can be little doubt that, in all these contentions between the Company and the ministry, the interests of the people at large were never once thought of; both were actuated by selfishness: the Company struggled to preserve its ill-gotten wealth and privileges; the ministry to acquire an enlarged source of patronage, and, eventually, to gratify their own inordinate cupidity. Nevertheless, as the removal of power from the Company, into whatever hands, tended to put the Indian Government in the track of change, and thereby multiplied the chances of reform, we think that the minister's scheme upon this occasion was ultimately beneficial, although at first it produced extraordinary evil and confusion.

While men's minds were occupied in discussing the nature of the new constitution, the chairman of the select committee came forward with a motion for inquiry respecting the deposition and death of Suraja Dowla, and numerous other nefarious transactions which had taken place in our Eastern dominions. It was found, however, that if the matter were properly conducted, Lord Clive, and various other

persons, would be liable to exemplary punishment; and, in tenderness to their characters and families, the dreaded inquiry was smothered in its birth. The inquiry made at this time into the financial and commercial state of the Company, shows that, of their capital stock of 4,000,000*l.*, 1,269,421*l.* had been dissipated; their whole property being now reduced to 2,930,568*l.* 10*s.* 10*d.* From 1744 to 1756, the dividend amounted to eight per cent.; in that year it was reduced to six. For ten years it continued at six per cent., then, for six months, it was raised to ten, and, for the next six months, to twelve and a half. Being fixed by Parliament to ten per cent., it continued at that rate till 1769, and afterwards fluctuated between that amount and twelve and a half, till 1772, when it was again reduced to six per cent.

We now approach the administration of Warren Hastings, a period of our Indian history more celebrated by the crimes of that individual, than any that had preceded or have followed it. Mr. Hastings was the new Governor-General appointed by Parliament, and General Clavering, Colonel Monson, Mr. Barwell, and Mr. Francis, were the Members of Council. Hastings was an old servant of the Company; had passed through the various gradations of its service; and, by his conduct on the Coromandel coast, had given the Directors especial satisfaction. This they expressed in a letter to the President and Council, dated April 1773, at the same time that they signified their resolution to put an effectual stop to the abuses that had hitherto prevailed, particularly monopolies in trade and extravagant expenditure.

The ambiguous administration of affairs, in name by the Nuwaub, in reality by the Company, which had been recommended by Clive, and approved of by his employers and successors, contributed greatly to involve the English in difficulty and embarrassment. In the collection of the revenues, the greatest confusion prevailed, and inefficiency and oppression in the administration of justice. As far back as 1769, during the administration of Mr. Verelst, the slight produce of the Dewannee had excited the dissatisfaction of the Company, and led them to adopt new expedients for increasing it. Supervisors were appointed throughout the whole country, to inspect the administration of justice, and the collection of the revenue; and, afterwards, these supervisors themselves were subjected to the superintendence of two Councils, one at Moorshedabad, the other at Patna.

But as this scheme also failed to produce the desired effect, the Directors now resolved to take upon themselves the collection as well as the expenditure of the revenue; to step, in fact, into the place of the Nuwaub, and, as they themselves expressed it, "to stand forth as Dewan." This was an important revolution, which affected the foundation, not only of the revenues, but of the whole property of the country; and, accordingly, when Mr. Hastings, in April 1772, succeeded to the chair, the Council resolved, almost instantaneously, to let out the lands on long leases, as the mode least embarrassing to the Government; to appoint a committee of circuit, which should perform the local operations throughout the country; and to convert the

supervisors of the former plan into collectors, with each a Native dewan, to strengthen and to check his authority; to allow of no presents to collectors; and to prevent, as much as possible, the accumulation of debts by ryots, and the various orders of middlemen. The committee of circuit, which first began to receive proposals at Kishenagur, finding that no satisfactory offers were made, resolved at once to put up the lands to public auction. A schedule of the taxes offered for sale was drawn up, which enumerated all the claims to which those renting the lands would be subject. In some cases, the offers of the former zemindars, and other middlemen, were accepted; in others, these men were allowed a pension for their subsistence, and the lands were put up to sale.

The next change effected was in the *Khalsa*, or principal office of revenue; which was removed from Moorsshedabad to Calcutta, and placed under the immediate superintendence of the Council, which constituted itself into a board of revenue, to inspect its details. Up to this period, both the civil and criminal law were generally administered by the zemindar of the district, who was guided in his decisions by the Koran, its commentators, and the customs of the country, none of which could ever be very determinate. Instead of these Native courts, so exceedingly ill adapted for the proper administration of justice, two new courts, a civil and a criminal, were appointed for each district; the latter, under the name of Phousdary Adawlut, consisted of the Collector, the Cadi, and the Mufti, and two Moollahs, as interpreters of the law; the latter, Mofussul Dewanee Adawlut, consisted of the Collector, as President, the provincial Dewan, and the other officers of the Native court. Cases of succession to zemindaries and talookdaries, were reserved to the President and Council. Two supreme courts of appeal were established at the seat of Government; but as upon trial it was found that the court of appeal in criminal cases imposed a degree of labour and responsibility upon the Governor and Council, which was thought inconvenient, this branch of the Nizamut was restored to the nominal Nuwaub, and the court removed to Moorsshedabad. Two courts, similar to the other district courts, were established for the district of Calcutta; and it was ordained, that in all these courts records of the proceedings should be made and preserved.

Among the causes which, in the opinion of the Directors, diminished the revenues of Bengal, was the administration of Mohammed Reza Khan, Naib Dewan of that province; and in revenge for the dislike with which he had inspired them, they commanded the Governor-General secretly to seize upon his person, with all his family, partizans and adherents, and to bring them prisoners to Calcutta. It has already been related, that Mohammed Reza had an enemy, or rival, appointed to co-operate with him in the duties of his office; this rival was Nuncomar, a man whom the Directors regarded as a villain versed in the deepest iniquity, and constitutionally inclined to the commission of enormities; yet, in seeking secret evidence against Mohammed Reza, it was to Nuncomar, above all others, that they

directed their Governor to have recourse, who, from envy, they said, and jealousy, would not fail to communicate the desired intelligence.

Acts of villainy, like this, were too congenial to the disposition of Warren Hastings not to be performed with alacrity. Without communicating his design further than to one individual, he issued his orders for the arrest of Mohammed Reza ; who was already a prisoner, and on his way to Calcutta, before a soul in India, except Hastings and his instrument, knew wherefore he was obnoxious to the Company. In his letter to his employers, the Governor-General assigns as an additional reason for despatch and secrecy, besides their commands, that he feared the corrupt characters of his fellow-servants, who might, he thought, have been bribed to obstruct the designs of the Company.

Mohammed Reza's office was twofold : as Naib Dewan, or Master of the Revenues, he represented the Company ; as Naib Subah, he was at the head of every branch of executive government. His sudden removal, therefore, before any other person had been appointed to supply his place, induced the greatest confusion in the business of government, and suspended the operation of the laws. Yet, although he was arrested some time before the 28th of April, it was not till the 11th of July that any attempt was made to provide for the office he had filled. The Rajah Shitabroy, who held at Patna the same office for the province of Bahar, as Mohammed Reza at Moorshedabad, for Bengal, was also arrested, and sent to trial. It may be presumed, that the only crime of these men was their standing in the way of the Company ; for, upon their removal, no other persons were appointed in their places ; the office of Naib Subah was abolished, and nothing at all equivalent established in its stead.

The education of the Nuwaub, during his minority, which had been hitherto directed by Mohammed Reza, was now intrusted to Munny Begum, the widow of Meer Jaffer ; and Rajah Goordass, a son of Nuncomar, was appointed Dewan to the Nuwaub's household, in which capacity he was to regulate and pay the salaries of the Nuwaub's servants, and keep and transmit to the Board the monthly account of his expenses. It has already been observed, that the Nuwaub's revenue had been reduced, by command of the Directors, from thirty-two to sixteen lacs of rupees annually.

Mohammed Reza Khan, and Raja Shitabroy, were detained, during two years, in confinement, their trial being delayed in order that all those who might be disposed to give evidence in their favour might be removed, and their bitterest enemies brought into office ; notwithstanding, it was in the end found impossible to prove them guilty, and they were acquitted. The former was destined to act a conspicuous part in the calamitous scenes which followed ; but the Rajah, chafed and incurably wounded by disgrace, returned to Patna, and died soon after of a broken heart.

In the meanwhile, the Emperor, Shah Aulum, who had for some time resided at Allahabad, entered into correspondence with the Mahrattas, and engaged them, though upon hard conditions, to escort him to Delhi, his ancient capital. The English were, of course, averse

to this coalition, but the Emperor persisted in his design, and being joined by several Mahratta chiefs, and assisted by the Mogul nobles, set out upon his march, and arrived at Delhi in December 1771. The Vizir, Nujeeb ud Dowla, who had for so many years served the imperial family with faithfulness and ability, was now dead, and had left the government of Delhi in the hands of his son, Zabita Khan. The Emperor, on resuming the government of Delhi, from the son of Nujeeb ud Dowla, imagined that now he had offended that chief, no measures were to be kept with him, and therefore resolved at once to seize upon his hereditary jaghire, or estate, of Saharunpore, which lay at a convenient distance from Delhi. In the expedition now undertaken against Zabita Khan, the Emperor's commander was Mirza Nujeeb Khan, a Persian, of royal extraction. By the united forces of the Emperor, under this man, and the Mahrattas, Zabita Khan was defeated, and driven across the Ganges, whither he was closely pursued by his enemies. Nevertheless, he escaped, and took refuge in the camp of Sujah Dowla. His country, in spite of the Emperor, was taken possession of by the Mahrattas.

The Rohillas, an Afghaun race, who had established themselves between the Ganges and the mountains, and could, on an emergency, bring 80,000 men into the field, were now alarmed at the approach of the Mahrattas and the Emperor; and opened negotiations with their ancient enemy, Sujah Dowla, Subahdar of Oude. The Subahdar had long desired some opportunity to strip them of a part of their territory, and thought the present conjuncture favourable to his views. He knew, however, that the Rohillas, who understood his character, would put no trust in him, and therefore made application to the English General, Sir Robert Barker, then marching toward Allahabad, to become guarantee for the fulfilment of his part of the compact to be entered into. As Sujah Dowla demanded a large sum of money for clearing their country of the Mahrattas, the Rohillas were unwilling to negotiate with him, and were only at length induced to it by the interference of the English. It was, however, agreed that the Subahdar should be paid forty lacs of rupees for expelling the Mahrattas from the Rohilla country, part on the performance of the condition, the remainder in three years. Understanding that internal dissensions would inevitably recal the Mahratta forces in a short time, Sujah Dowla made no effort to repulse them; and, in the sequel, the Rohillas were compelled to treat with the Mahrattas, and pay them a sum of money to retreat out of their country.

Having accomplished this undertaking, the Emperor and the Mahrattas began to disagree. The former longed for some opportunity to break with his dangerous allies; and the latter made proposals to Zabita Khan to compel the Emperor, for a sum of money, to restore his territory, and bestow on him the office of Emir ul Omrah, which his father had enjoyed. The Emperor resisted these encroachments on his authority, and the Mahrattas, marching to Delhi, besieged him there, and taking the city, after a respectable defence, compelled him to submit to their demands, and likewise obtained from him the cession



of the provinces of Corah and Allahabad, which had been guaranteed to him by the English. After this, they prepared to cross the Ganges.

The Subahdar, now thrown into the utmost alarm, dreaded the union of the Rohillas with the Mahrattas, and engaged to remit the forty lacs of rupees they had promised him, if they would now unite with him against the common enemy. Sujah Dowla likewise entreated the Bengal Government to succour him with a military force. He was in both points successful; both the Rohillas and the English united their forces with his. The cession of Allahabad to the Mahrattas, by Shah Aulum, the English properly considered an act of necessity, and, to prevent the effect of that measure, threw a garrison into the place, and sent a member of Council to superintend the revenue. Shortly after this, the Mahrattas retired, without coming to any decisive engagement.

The Subahdar of Oude, in conjunction with Warren Hastings, now projected the reduction or extermination of the Rohillas. He had long cast a wishful eye on their country, and the English Governor-General, knowing how eagerly he was bent on the design, engaged, in consideration of receiving forty lacs of rupees, and the expenses of the troops to be furnished the Nuwaub, to enter into his views, and concur in the destruction of a brave and independent people. Conscious that he was about to plunge into a nefarious transaction, Hastings endeavoured, in his despatches home, to cover his motives by pretending the imperious necessities of the Company. A highwayman, apprehended for robbery and murder, has always the same plea in his mouth: necessity drove him, he says, to tamper with the purses and lives of travellers; had his finances been better, men might for him have traversed the King's highway in peace. So reasoned Warren Hastings. He did not pretend, not he, to criminate the Rohillas, or to justify, on abstract principles, their extermination; it was enough for him that Sujah Dowla, who wished for the extinction of the unhappy race, had money to bestow, and that the Company's treasury was exhausted. It was not for him to think of justice and principle, when the Directors were pressing him for remittances; he had been sent out to India to improve the finances of the Company, not to weigh motives, and be nice about conscience and justice; and he was resolved that the dividend of honourable Proprietors should not be reduced, if cutting the throats of a few Rohilla people would prevent it. These were his reasons for uniting with the Subahdar, and he pretended no others. The next transaction, equal in injustice, though not in enormous atrocity, was the robbing the unfortunate Emperor of the provinces of Corah and Allahabad, which the English had guaranteed to him for his support, and the bestowing of them on the Vizir. This also was performed for money, the only motive to action at that time in British India.

It was at Benares that Hastings and Sujah Dowla hatched their atrocious plans for robbing the Emperor, and spilling the blood of the Rohillas. From that place they departed, the Vizir toward Delhi,

the Governor-General to Calcutta, to concoct despatches, full of disguise and cunning, for the Directors. Communications between the Vizir and the Bengal Government had generally passed hitherto through the medium of the military officers on duty in Oude. There was, however, a frankness in the military character, or some other good quality, which Hastings regarded as dangerous to his views. He procured the consent of the Council to the appointment of a private agent at the court of the Subahdar, who might be more entirely the instrument of the Governor-General's projects. To fill this honourable station, a Mr. Middleton was selected.

Meantime, the Vizir, by an artful show of friendship and fidelity, had won upon the easy disposition of the Emperor, and procured his sanction and concurrence in the destruction of the Rohillas, the half of whose territory was to be the reward of his criminal compliance. Upon this, the Vizir suddenly called upon the Governor-General for the aid he was to furnish him against that devoted people; and, although the demand was somewhat unexpected just at that moment, so great was the alacrity of Warren Hastings to stain his hands with guilt, that he prevailed upon the reluctant members of Council to come into his designs; and, in January 1774, despatched the first portion of an English army towards Rohilcund, to perpetrate the most cold-blooded murder that was ever disguised under the name of war. The gallant Rohillas did not decline coming to an engagement with their enemies; but, on the contrary, with a courage and resolution which inspired the English commander with admiration, determined to devote themselves for their country, and attacked our army with a courage much surpassing their skill, though in this quality they were by no means contemptible adversaries. European art, however, prevailed over their undisciplined valour; after withstanding for hours a tremendous cannonade, and seeing their General, with thousands of their comrades, fall upon the field of battle, these brave people were compelled to give way. They retreated as rapidly as possible towards the mountains; and then, but not before, the worthy Vizir approached the field, and gave orders for the devastation of the country, the burning of villages, the murder of every one who bore the name of Rohilla; and these orders were executed with a nice punctuality which does little honour to the Hindoo character.

Proceeding to Bissouly, a city in the centre of Rohilcund, the English found there Nujeeb Khan, who had come with the imperial army to assist in the reduction of the Rohillas. That having, however, been accomplished before his arrival, the Vizir eagerly seized the occasion to defraud the Emperor of his share of the spoil; and, although perfectly aware of the solemn treaty which had been entered into, the Bengal Government shamelessly confessed that they would abet the Vizir in his impudent injustice. There still remained one Rohilla chief unsubdued, and so soon as Sujah Dowla had obtained the English to sanction his breach of faith with the Emperor, he and his mercenary allies marched against him. The Rohilla, Fyzoolah Khan, was posted advantageously at the roots of the mountains, near

Pattir Gur, and was expected to offer a gallant resistance. Negotiation was therefore resorted to; and, after considerable difficulty, it was agreed that, on surrendering half his effects to the Vizir, Fyzoola Khan should receive a jaghire of fourteen lacs and seventy-five thousand rupees, in Rohilcund. Such was the end of the first Rohilla war.

The next transaction to be related was of a kindred character. It will be remembered, that for the grant of the revenues of Bengal, Bahar, and Orissa, the Company were annually to pay twenty-six lacs of rupees into the imperial treasury. When the Directors learned that Shah Aulum had made use of the Mahratta arms to establish himself on the throne of his ancestors, they considered it a plausible excuse for withholding his pension,—for it is true that the descendant of the antient sovereigns of Hindoostan now subsisted upon a pension grudgingly granted him by a Company of Tea-dealers in London. It was by such acts as these,—by pilfering from the Nuwaub of Bengal half his revenue; by selling to the Vizir the Rohillas for forty lacs; the provinces of Corah and Allahabad for fifty more; and by plundering the Emperor of twenty-six lacs per annum, that Warren Hastings was enabled to satisfy the avarice of the Directors, and to purchase himself a statue in the India House.<sup>1</sup>

Parliament had ordained, that the new constitution it had framed for India, should commence from the 1st of August 1774. But as all the members of Council did not arrive at Calcutta before the 25th of October, it was on that day that the first meeting of the Board took place. This first meeting was marked by dissension. The Governor-General was thought to have behaved coldly towards his colleagues; they retaliated, by scrutinizing his conduct, and thwarting his views; and, as his contumelious manners had united a majority against him, they were enabled to do this effectually. Considering its motives and character, the Rohilla war was condemned by the new members of Government. Intelligence had not yet arrived of the treaty with Fyzoola Khan; and believing therefore that a war of a doubtful complexion demanded their attention, they required that the whole correspondence between the Governor-General, the Agent at the court of the Vizir, and the Commander of the Forces, should be laid before them. A part of this correspondence Mr. Hastings consented to produce; but the remainder, described to be of a private nature, would be withheld. This would not satisfy the Councillors; they suspected that some atrocious secret was at the bottom of the Governor-General's reluctance, and peremptorily demanded a full disclosure. In this demand, they were afterwards seconded by the Directors themselves; but the letters hidden must have contained something of a very dark and nefarious nature, for no authority could ever wring them from the hands of the culprit.

Three out of the five Members of Council being now opposed to

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<sup>1</sup> Where it still stands, as if villainy and perfidy personified were the household god of the Honourable Company.

the Governor-General; who was supported by Mr. Barwell only, the majority assumed the powers of Government. Stung by the insolent neglect and suspicious concealment of the Governor, they were hurried into rash measures, and behaved with too great warmth and inconsiderateness: they voted the immediate recal of Mr. Middleton, the agent at the Court of Oude; and, although condemning the Rohilla war entirely, directed the Commander-in-Chief to demand of the Vizir immediate payment of the forty lacs of rupees, though they were ignorant whether or not the war was concluded. They likewise ordered him to march, with all his troops, out of the Rohilla country, into the ancient territory of Oude, and, if the Vizir refused to comply with their demands within fourteen days, to withdraw the troops entirely from his service. Before the departure of these commands, news arrived of the treaty with Fyzoolla Khan, of the Vizir's having paid fifteen lacs, and of the intended march of the English army into the borders of Rohilcund. Hastings now requested the Members in opposition to suspend their demands, and to proceed with more coolness and deliberation. But his motives were suspected; and the instructions to the Commander-in-Chief were no further softened, than that he was now directed to wait on the Vizir in his capital, and reckon the fourteen days from the date of his interview. These measures the Governor-General condemned as harsh and highly impolitic (he never thought of justice); and both parties represented their own proceedings, and those of their rivals, in their despatches to the Directors, in the colours best suited to their views.

To increase the discord and animosity that prevailed, Sujah Dowla died unexpectedly in the beginning of 1775, and was succeeded by his only legitimate son, Asoff ul Dowla, upon whom the majority in Council immediately formed new designs. Mr. Bristow was appointed to fill the place of Mr. Middleton at the Court of the Nuwaub; and it was determined to consider no part of the treaty with the late Nuwaub as binding, except that by which he agreed to pay certain sums of money to the Company. Should his successor need their aid, he was to purchase it with fresh sums. In reality, a new treaty was entered into with the inexperienced young man, by which he engaged to yield up to the Company the district of Benares, whose revenue amounted to twenty-two lacs and ten thousand rupees, and pay two lacs and sixty thousand rupees per month for the assistance of the Company's troops, besides all the former Vizir's debts to the Company. These impositions, because not made by himself, Mr. Hastings condemned as inequitable (as in reality they were); but the Directors, ever delighting in the prospect of gold, expressed themselves singularly satisfied with the treaty, which, they said, appeared to promise them *solid and permanent advantages*.

The new Board of Administration, having been invested by Parliament with a controlling power over the three Presidencies, very early demanded from each an account of its political, financial, and commercial situation, and discovered at Bombay a scene of difficulty

and disorder: the Mahratta sovereigns, or rajahs, were accustomed to employ a council of eight Brahmins, who distributed among themselves the principal offices of state; of this council the chief's name was *Peishwah*; and, like the antient mayors of the palace in France, this great functionary had now usurped the sovereign power, and confined the lawful Prince at Satarah, while he himself carried on the business of government at Poonah. At the period to which we now allude, quarrels between the Peishwah and the Council of Brahmins had proceeded to open violence, and the Peishwah had been compelled to take refuge with Govind Row in the kingdom of Guzerat. The Guicawar, however, was himself engaged in a civil war with his brother, when Ragoba (the Peishwah) arrived in his camp, and, therefore, could not, had he been inclined, have yielded him any effectual aid. Ragoba now turned his eyes towards Bombay, and offered terms of alliance to the English. They had just completed the ruin of the Nuwaub of Baroach, whom they had long been persecuting for money, when Ragoba applied to them for assistance. This they regarded as a favourable accident; for having been disappointed for many years in their attempts to obtain from the Mahratta Government the cession of Salsette and Bassein, an island and peninsula which commanded the entrance into the bay, it now appeared likely that the distresses of the Peishwah would place him entirely at their mercy. While they were negotiating with Ragoba, a rumour reached Bombay that the Portuguese were about to fit out an expedition to recover Salsette and Bassein, with their other lost possessions. This determined the policy of the Presidency: without waiting for the consent of the Peishwah, they seized forthwith upon the places in question, pretending to Ragoba that they did so merely to prevent their falling into the hands of the Portuguese. Though the Peishwah was exceedingly anxious to obtain the aid of the English, and quite willing to make them very large concessions, he could not be prevailed upon to relinquish his right to Salsette and Bassein, but, instead, offered to cede to them large territories in the neighbourhood of Surat.

It was during these proceedings that the letter from the Supreme Council in Bengal arrived, in the beginning of December 1774. In their answer, despatched the same month, the Presidency intimated their intention to aid Ragoba in the recovery of his authority, mentioning also the acquisition of Salsette and Bassein. In the meanwhile, Ragoba was again defeated by his enemies, the ministers, and compelled to fly from the field with only a small body of horse. This disaster, which happened before their treaty with the Peishwah was concluded, enabled the Presidency to renew their applications for Bassein and Salsette, which were now no longer refused. A treaty was concluded in March 1775, by the terms of which Ragoba yielded up the desired places, with the Mahratta share of the revenues of Baroach, &c., to the amount of twenty-two and a half lacs of rupees.

The English now despatched a small army, under command of

Colonel Keating, to the assistance of Ragoba and Govind Row; whose routed forces had made good their retreat to the fort of Copperwange, about fifty coss from Cambay. Immediately upon the union of the troops, they marched towards the enemy, who were encamped on the Sabermatty; and not being able to bring them to a decisive engagement, advanced towards the Deccan, in the hope of reaching Poonah before the commencement of the rains. The enemy, who constantly hovered upon their march, now perceiving their intention, gave them battle on the plains of Arras; and though the English were victorious, their success cost them extremely dear. Eighty men, two hundred sepoy, and seven officers, fell in the engagement. Notwithstanding this success, the Peishwah's troops, to whom large arrears of pay were due, refused to advance across the Nerbuddah till their demands should be satisfied; and the season of the rains being at hand, the English retired into quarters at Dhuboy, a large fortified city, about fifty miles from Baroach, while Ragoba encamped about ten miles distance at Bellapoor, on the river Dahder. Perceiving the fortunate turn Ragoba's affairs were now likely to take, Futty Sing, Govind Row's rebellious brother, entered into an alliance with the Peishwah. Govind Row had been already satisfied by the promises of Ragoba. Futty Sing confirmed the grants which had been made to the English in the Guicawar dominions, made other large concessions, and engaged besides to furnish twenty-six lacs of rupees for carrying on the war.

These transactions embroiled the Bombay Government with the Supreme Council of Calcutta; not that the Members of Council disapproved of the course pursued, considered in itself; they were offended merely because an inferior Presidency had presumed to proceed in an important business without their orders. Upon receiving intelligence, therefore, of the negotiation with Ragoba, they returned answer, forbidding the Bombay Government to conclude the treaty begun; and afterwards wrote another letter, peremptorily commanding them to cancel it when concluded, to withdraw what troops they might have despatched to the aid of the Peishwah, and to enter into a treaty with his enemies, the Mutseddies. And further, lest they might be disobeyed in this point, it was resolved to send, direct from Calcutta, a minister to treat with the Mutseddies; but lest Ragoba should, in the meanwhile, have succeeded, a letter for that Prince also was delivered to their agent, who, in such case, was directed to treat with him.

When these things became known at Bombay, the Governor and Council of that place remonstrated warmly with the Supreme Council on the disgrace put upon them, by compelling them to breach of treaty; and in the hope that the Bengal Government might still submit to reason, despatched a deputy to Calcutta to represent the matter to the Supreme Council anew. The majority, however, could not be moved; all they would consent to, was to make some stipulations in favour of Ragoba, and to allow him a retreat at Bombay, in case

of personal danger. Nevertheless, their notions were quickly altered on the arrival of their agent at Poonah. The Mutseddies conducted themselves in the most haughty manner, and, supposing that fear was the motive which induced the Supreme Council to negotiate with them, even proceeded to insolent menaces. On receiving this intelligence, the Supreme Council instantly changed their tone, and determined at once to maintain the pretensions of Ragoba, and to keep possession of Salsette, re-demanded by the Mutseddies, a place for the seizure of which they had previously condemned the Bombay Government in the most pointed manner. To render the whole transaction completely absurd, the Mutseddies now softened their pretensions, consented to yield up Salsette to the English, (who were, however, to relinquish Bassein,) and likewise to guarantee several other advantages to the Company. Betrayed by his allies, and deserted by his troops, Ragoba retired to live in obscurity at Surat, with only 200 attendants. A treaty was now concluded with the Mahrattas, upon terms much less advantageous than those formerly obtained of Ragoba, by the treaty which the Supreme Council had compelled the Bombay Government to cancel; and it is a remarkable circumstance, and one which must have given much pain to the majority, that immediately upon the conclusion of this treaty, letters from the Directors arrived, approving entirely of that which had formerly been transacted by the Bombay Government.

During the summer of 1776, the attention of the Bengal Government was again drawn to the affairs of the imperial Court: it was reported that the Emperor, the Mahrattas, the Seiks, and the Rohillas, had entered into a league to invade the dominions of Asoff ul Dowla, who had been compelled, by pecuniary distress, to disband a portion of his forces, and whose weak and vicious character was incapable of effort or decision. Nujeeff Khan, formerly Commander-in-Chief to the Emperor, was now in possession of a precarious sovereignty in the Jaat country; and with him the English were solicitous to form an alliance. There were, however, certain difficulties to be removed, and the negotiation was protracted or suspended. Asoff ul Dowla, for services very opportunely performed, was now honoured with the name of Vizir; the reality no longer existed.

While these affairs were transacting, a new subject of contention among the Members of Council arose: Tillook Chund, Rajah and Zemindar of Burdwan, lately deceased, had left his son and successor, a minor only nine years of age, under the guardianship of his widow, called the Ranee of Burdwan. The English, however, had intruded themselves into the offices of the zemindary, and removed her son from under her authority. Offended at the indignity, and moreover perceiving that corruption was practised by the chief Dewan in the administration of the revenue, who, through bribery, had obtained the support of the British Resident, she presented a petition to the Bengal Government, in December 1774, setting forth her injuries, and naming the guilty individuals. The majority in Council,

giving credit to the complaints of the Ranee, resolved to recal the Resident, and permit the Ranee and her son to repair to Calcutta. Hastings and Mr. Barwell opposed them, pretending a regard for justice, which, they said, the majority designed to violate in the person of the Resident. Early in January 1775, a letter from the Resident himself arrived, in which the Ranee was described as an artful and dangerous person, and the writer as every thing amiable and virtuous. In the accusations of bribery preferred by the Ranee, Hastings himself, and several other servants of the Company, were implicated. It was not possible, however, to prove incontestably that these individuals had received the money; it was only clear that some one had received it, and the strongest presumptions were against them. Hastings was now no longer mild and cool; but, because his colleagues had dared to listen to the accusations of the Ranee, pronounced them to be his accusers, and, therefore, incapable of acting as judges of his conduct; and shortly afterwards, upon their resolution to compliment the Ranee with the insignia of office, dissolved the Council, and quitted the chair. This did not interrupt the business of Government; his adversaries voted the first Member of Council into the chair, and continued their proceedings.

Another charge of bribery was now preferred against the Governor-General: the Phousdar of Hoogly was paid 72,000 rupees as his annual salary; of this it was now asserted that Hastings received 36,000, and his banyan, or Native secretary, 4000 more. The author of the accusation offered to discharge the office for 32,000 rupees, the sum hitherto retained by the Phousdar, and thus exempt the Company from the payment of 40,000 rupees, annually paid in bribery to the Governor-General and his secretary. The majority in Council were satisfied with the evidence produced, though Mr. Hastings vehemently protested against their competency to institute inquiries into his conduct, and, as before, dissolved the Council, and retired with his solitary coadjutor, Mr. Barwell. The Phousdar, however, was removed from his office, and another appointed in his stead, at the reduced salary of 36,000 rupees annually.

Next followed the celebrated transaction with *Mumay Begum*, which was first brought to light by Mr. Grant, accountant to the Provincial Council of Moorshedabad. It was found that the Begum had received nine lacs and sixty-seven thousand six hundred and ninety-three rupees more than she had expended or could account for. The papers containing these accounts, and now laid before the Council, were obtained through the means of a clerk, formerly in the treasury-office of the Nuwaub. It was stated also, that large rewards had been offered to this individual by the Begum's chief eunuch, to induce him to return the papers; and the same applications, as Mr. Grant was ready to assert upon oath, had been made to himself. Mr. Hastings earnestly opposed all investigation of the accounts of the Begum; but the decision of the majority prevailed, and Mr. Goring was despatched to Moorshedabad with full powers to enter



into the most minute inquiry. The power hitherto enjoyed by the Begum was transferred to Rajah Goordass, the son of Nuncomar. Upon investigation, the papers appeared to be authentic; the Begum herself acknowledged that she had given a lac and a half of rupees to Mr. Hastings, and the same sum to Mr. Middleton. The latter did not deny the receipt of the bribe, nor set up any defence; nor did Mr. Hastings deny receiving the money, but he endeavoured to screen himself by various subterfuges: he asserted that he had been induced to accept the sum in order to save the treasury of the Company, from which his expenses, during his visit to Moorshedabad, must otherwise have been drawn. These expenses must, at this rate, have amounted to 2000 rupees per day, or 73,000*l.* per annum; but, upon inquiry, it was found that the Company's treasury had not been spared, 30,000 rupees having been drawn thence as travelling charges, besides a large amount for the expenses of his colleagues and attendants. This pretext, therefore, was unfounded and false.

But the Governor-General now saw a more formidable personage advance among his accusers; it was the Rajah Nuncomar. On the 11th of March 1776, he delivered a paper to the Council, in which he accused Mr. Hastings of bribery, in the affair of Mohammed Reza and Raja Shitabroy, and also of having received other bribes, amounting to three lacs and a half, for the appointment of Munny Begum, and Nuncomar's own son, Rajah Goordass. He was to appear on the 13th before the Council to substantiate these charges. But Warren Hastings did not choose to confront his accuser; he protested against the authority of the Council; and, as before, pronounced the Council dissolved, and, together with his faithul coadjutor, Mr. Barwell, quitted the Board. The majority, however, proceeded. When Nuncomar came before them, he stated what sums he himself had paid the Governor-General; named the persons who were present; and produced a letter from Munny Begum to himself, in which she mentioned having given the Governor-General two lacs of rupees. The amount of these bribes, the Council now required Mr. Hastings to refund to the Company; but he denied their authority, and refused an answer.

The Governor-General now became sensible, however, that something more than mere contemptuous silence was necessary to preserve his authority and reputation; he was conscious, too, that he could not face the accusations of Nuncomar; there was, therefore, no course left but to seal the lips of his accuser by death. A plot was quickly hatched against the witness, which, to save appearances as much as possible, was at first made to aim at two other individuals. The indictment, at the instance of the Governor-General, Mr. Barwell, Mr. Vansittart, Mr. Hastings's secretary, and the Native agent of finance, charged the Rajah and his accomplices with a certain conspiracy against the prosecutors. Upon examination, one of the individuals was discharged, and all the prosecutors, except the Governor-General and Mr. Vansittart, withdrew. Nuncomar and his associate

were held to bail, and the affair failed to produce the desired result. However, the man who had presumed to give evidence against a Governor-General was not to escape; he was now accused of forgery, committed to the common jail, tried by a jury of Englishmen, convicted, and hanged! Thus Warren Hastings removed his accuser. The name of the Judge who condemned Nuncomar (for, like that of Jefferies, it deserves to go down to posterity) was IMPEY; a name which nothing can ever obliterate from the memory of the Hindoos, or induce an historian of India to bury in kindly oblivion.

Had Nuncomar been guilty of the crime with which he was charged, still punishment could not justly have been inflicted on him, according to our laws, since the statute which created the Supreme Court and its powers, was not made public till 1774, four years after the date of the pretended forgery; and, if he could not be capitally punished by our laws, still less by those of Hindoostan, since forgery is not placed by them, whether Moslem or Hindoo, among capital offences. Both Hastings and Impey endeavoured to set up some kind of defence, but sophistry so miserable is not worthy of being recorded in history; and if they managed, through the uncertainty of the law, to escape condign punishment, they could not manage to screen their characters from the judgment which impartial history will irreversibly pronounce against them.

From legal assassination, the Governor-General again proceeded to inferior offences. In 1772, a regulation had been made under his authority, by which all collectors, and servants of collectors, were forbidden to farm any lands, or be security for any farmers. The reason was, that if they did, no competitors would come forward, and the Company's revenues would be defrauded. Notwithstanding this regulation, Mr. Hastings permitted his banyan, or secretary, to hold lands, the rent of which amounted, in 1777, to fourteen lacs and eleven thousand three hundred and forty-six rupees, upwards of 141,000*l.* sterling!

The removal of Munny Begum now made it necessary to appoint another superintendent over the affairs of the Nuwaub; and as the Directors were not satisfied with the conduct of Nuncomar; they commanded his son, Rajah Goordass, to be removed, and Mohammed Reza to be substituted in his place. Their order was conceived in a confused and vague manner; they confounded distinct offices; and, through ignorance, directed what they did not intend to be done. However, their servants contrived, from their local knowledge and experience, to apprehend their meaning; and the majority, in opposition to the will of the Governor-General, restored the office of Naib Subah, and bestowed it upon Mohammed Reza Khan.

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## THE HARBOUR LIGHT.

At Ramsgate, Shoreham, and other towns on the coast, a light is hoisted at night, when there is a sufficient depth of water for ships to enter the harbour.

OVER the waves  
The wild winds sweep,  
Loud the storm raves  
O'er the sullen deep ;  
We hear the dash  
Of the breakers roar,  
We see them flash  
On the near lee shore :  
Star of the Seaman ! when wilt thou rise  
To break this gloom of seas and skies !

Harder it blows,  
But she still rides brave,  
And shakes from her bows  
The broken wave ;  
Hold but a while  
True anchors fast,  
And at morn we 'll smile  
O'er the dangers past :  
Star of the Seaman !—bright and warm—  
Rise like Hope's rainbow through the storm.

We part, great Heaven !  
We drive !—we drive !  
Life's bonds are riven,  
'Tis vain to strive ;  
'Midst the tempest's jar,  
'Midst rock and foam,  
Where the breakers war,  
Is our hour come—  
God—we are safe !—see the blessed light  
Of the harbour rise through the gloom of night !

\*Cast loose all sail,  
Till the quivering mast  
Strains to the gale  
As it thunders past ;  
Hard down !—hard down !  
See the lights appear  
Of the welcome town !  
Now,—near, boy !—near—  
Our danger has passed like a frightful dream,  
Star of the Mariner !—bless thy beam !

BERNARD WYCLIFFE.

## RECOLLECTIONS OF BURKE.

*To the Editor of the Oriental Herald.*

SIR,

April 15, 1826.

THE account (p. 98) of 'Mignet's History of the French Revolution,' has carried me back, through the various fortunes and events of more than thirty years, to that interesting period when I was associated with not a few active and enlightened politicians, of whom the survivors are now reduced to a very scanty remnant. I then not only read but listened to "the fanatical declamations of Burke," dignified as they were by his mighty but ill-devoted powers of eloquence; for he was largely accomplished, like the poet's *Belial*:

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his tongue  
Dropt manna, and could make the worse appear  
The better reason.

Among these exhibitions, I especially recollect, as if it had occurred but yesterday, his loud lament, even like

Ocean into tempest wrought,

when he referred, on a memorable occasion, to the fall of "the King's Castle," for with that appropriate designation he was fond of complimenting the *Bastille*.

It was, I well remember, on May 11th, 1792, when I visited the gallery of the House of Commons, while Mr. Fox was denouncing *Protestant persecution*, in a style of argumentative eloquence sufficient to persuade all except a Minister's majority, a Court of Leadenhall-street Directors, or a bench of Bishops. His clients were the Unitarians, whom William III., a pretender to liberal principles, had left exposed to rigorous penalties inflicted by two statutes, which appear to have as readily received the royal assent as the order for the massacre of Glencoe, and remained on record, among too many discreditable transactions of that over-vaunted reign.

These religionists claimed the honour of enrolling in their number the names of Price and Priestley, whose disinterested attachment to the public cause had earned the rancorous hatred of the *Pensioner expectant*. The Unitarians also, while they rejected, as Anti-christian, some favourite dogmas of established churches, generally regarded with approbation the principles which were then intruding their influence on the despotic *regime* of some established Governments. Thus the champion of the *Bastille* would easily connect the case of the English Unitarians, claiming relief from religious persecution, with that of the French people demanding civil liberty. Yet, as it has been justly remarked by an unceremonious biographer, "whatever the subject of debate might be, whether religious or political, Mr. Burke's ingenuity could always find means of introducing his favourite topic, the French revolution." On this occasion, after the Orator had violently assailed the English Unitarians, for the liberal political senti-

ments which some of them had then lately expressed in public, I heard him close a large collection of charges against the French revolutionists, by solemnly declaring, that they had destroyed "the King's Castle."

This royal castle, Mr. Fox, during his powerful reply, thus apostrophised, in the well-known lines of Cowper :

Ye horrid tow'rs, the abode of broken hearts ;  
 Ye dungeons, and ye cages of despair,  
 That monarchs have supplied from age to age  
 With music, such as suits their sov'reign ears,  
 The sighs and groans of miserable men !  
 There's not an English heart that would not leap  
 To hear that ye were fall'n at last.—

"Yes," added Mr. Fox, looking at Mr. Burke, who sat just below him, "there is an English heart, and, I am sorry to say, it is the heart of that honourable gentleman." I am more induced to state these particulars, because, so far as I have observed, justice has not been often done to the strikingly happy manner in which I saw and heard Mr. Fox apply the quotation.

Mr. Hayley, in his 'Life of the Poet,' (4to. ii. 236,) remarks, that "Cowper felt the full value of applause, when conferred by a liberal and a powerful mind. I had," he proceeds, "a singularly pleasing opportunity of observing the just sensibility of his nature in this point, by carrying to him, in one of my visits to Weston, a recent newspaper, including the speech of Mr. Fox, in which that accomplished orator had given new lustre to a splendid passage in the 'Task,' by reciting it in Parliament."

Now I am reverting to this "tale of other times," you will, I dare say, excuse me if, "narrative with age," I here record my recollection of two *English hearts* which beat in unison with those of the amiable Poet, and the philanthropic Orator. A friend of mine visited, in 1790, the ruins of the Bastile, from whence he brought a few fragments, with which he designed to ornament a summer-house. On this occasion, another friend wrote, *con amore*, the following lines, for an inscription, which I now bring out from one of the cells of memory, in which they have lodged for the last five-and-thirty years :

Ye who, by Fancy led, delight to trace  
 Each scene where Sculpture did her Athens grace,  
 By History's torch illumined, who explore  
 Her time-worn steps on Tyber's classic shore,  
 Approach ! for oft as wakes the generous mind  
 To virtue, and the bliss of human kind ;  
 Oft as compassion asks, yet dreads to know,  
 Bastile ! the secrets of thy house of woe,  
 These shapeless stones a transport shall impart,  
 Beyond the magic energy of art :  
 For, lo ! they tell how Justice claims her sway,  
 And guilty dungeons open to the day ;  
 Tow'rs, that for ages braved the observant sky,  
 Whose echoes mock'd the captive's hopeless sigh,

Sink, at her sov'reign word, to rise no more :  
Let man rejoice, though priests and kings deplore.

I have now before me, though I must reserve the use of them to another occasion, two interesting documents, printed before the revolution. They disclose a few "secrets of the prison-house." The mighty number are reserved to be disclosed when the oppressor and the oppressed shall meet together before an impartial tribunal, where "names of awe and distance here," must "rank with common men."

POPULARIS.

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PHILLIPPINE ISLANDS.

The following particulars, regarding these valuable islands, are drawn from a statistical work published at Manilla in 1820, an abstract of which has been inserted in that ably-conducted publication, the Singapore Chronicle :—

"The revenue of the Phillippines amounts to 1,466,610 Spanish dollars, and is made up of such articles as the following: a poll tax on the natives of the country, commonly called the *contribucion*, amounting to 70107 Spanish dollars, a monopoly of tobacco amounting to 357,288 dollars; a capitation tax on the Chinese, amounting to the exorbitant sum of six dollars a head, &c., with custom house duties, among which are included a duty on the exportation of bullion. The impolicy and unproductiveness of such a system of taxation will readily occur. There exists no land-tax, but in room of it a poll-tax, comparatively trifling in its amount, as highly unpopular in the Phillippines as capitation taxes have always been in every age and country. The subjects of the European Government of Java amount to about the same number as those of the Spanish Phillippines; and Java can scarcely be said to be either more fertile or more favourably situated than Luconia and its dependent islands, yet the revenue of Java, for the corresponding period quoted for the Phillippines, amounted to very near ten times as much; which shows how much more skilful is the system of taxation established in that country, since it cannot be alleged that it is either more burdensome or more unpopular."

"The Phillippines are divided into thirty-one provinces, sixteen of which are situated in the islands of Luconia, and fifteen in the smaller islands, including the Mariannas. The total population is two millions two hundred and forty-nine thousand eight hundred and fifty-two; of this number, 137,622 belong to the great island of Luconia, giving about forty-five inhabitants to the square mile; a rate which shows it to be much less populous than Java, which, to the best of our recollection, has more than double this density of inhabitants. The contrast is still stronger with the British provinces in Hindoostan, some of which, as will be seen by an able and original

paper on the subject by Mr. Baillie, in the 'Asiatic Researches,' have a density of population as 4-5-6-7, and even more, to one, beyond Luconia. The next most populous island is Panay, which contains 292,760 inhabitants; after which comes Zebu, which contains 108,426; Samar, 57,922; Leyte, 40,623, and Negroes, 35,445; the Spanish establishments on the great island of Mindanao amount to 50,823; and the population of the Marianna Islands is no more than 5,349.

"We have now to glance at the ingredients of this population. It is composed of the following parts:—Europeans; Spaniards; Creole Spaniards; Spanish Mestizos; Indian Mestizos; Mohammedans of Western India; Negroes of the Phillippines converted to Christianity; Chinese converted to Christianity, and unconverted Chinese; with Natives of all tribes. The Europeans of all descriptions amount to no more than 2837, or to a seven hundred and ninety-third part of the whole population; the people of colour to 6170; and the whole Chinese to 6201, of whom 1669 are Christians. The Native population consists of a great number of distinct tribes, of which the most considerable are those of Luconia, called Tagala, Parapanga, Pangasinan, Yicos, and Cagayan. A large proportion of the Native inhabitants have been converted to the Catholic religion, which is the common bond between them and the Spaniards, and the great means by which the latter, so deficient in physical strength, have been able to maintain the government of the country for so many ages. Upon the whole, the inhabitants of the Phillippines are the most bold and energetic of the people of the Asiatic Archipelago. The great bulk of them are of the same brown race so widely scattered over these islands; but the Phillippines have also a considerable share of the negro race.

"The population of the Phillippines appears, under the Spanish rule, to be increasing with considerable rapidity. In 1805, the Native inhabitants, as estimated by the census for the poll-tax, amounted only to 1,739,205; in 1815, it amounted only to 1,739,275; in 1816, it amounted to 1,927,840. At this rate, according to the table constructed by Mr. Bridge of Cambridge, it would double itself in about seventy years. The doubling period appears much more favourable when estimated by the proportion of births to deaths, according to the tables of 1818, and is no more than forty-five years for the whole country. In particular provinces, it is as low as thirty-eight, but in the town of Manilla, and the surrounding country, it rises to ninety. By the same tables, the following important facts are exhibited:—The proportion of marriages to the whole population is as one to ninety-three; the births as one to twenty-seven; and the mortality as one to forty-seven; the last a result which speaks very favourably of the climate, as well as the habits and condition of the people. In the town of Manilla, however, we find the mortality to be as great as one to twenty-seven, which is again counterbalanced by several of the provinces where it is as low as one in fifty-four, pointing to a degree of salubrity not inferior to some of the finest parts of Europe."

## ROYAL ASIATIC SOCIETY OF LONDON.

A SECOND part of the 'Transactions of the Royal Asiatic Society' having at length issued from the press, after an interval of more than twelve months since the date of their first publication, it becomes our duty on this, as on the previous occasion, to lay before our readers a brief analysis of its contents. In comparing the two parts with each other, we are bound to acknowledge, that there is in the present some diminution from that high standard which the tone and character of the earlier production had led us to anticipate for the labours of this Society; but still there is ample room for indulging very flattering expectations with regard to its future superiority. Thus, although we find no papers among the series now under consideration, at all comparable to the 'Essay on the Philosophy of the Hindoos,' by Mr. Colebrooke, or to that on the Bhills, by Sir John Malcolm,—papers which added to the well-earned reputation even of the highly-talented gentlemen by whom they were communicated,—there are yet some which deserve an attentive consideration, and from which much valuable information may be gleaned. Among these, we would particularly distinguish the 'Analysis of the Pancha Tantra,' the 'Account of a Secret Association in China,' the 'Observations on Elephantiasis,' and though last, not least, the able paper on the 'Valley of the Setlej,' which contains such extensive additions to our geographical knowledge of the immense chain of mountains by which India is bounded on the north. Leaving these generalities, however, we will at once proceed to particulars, taking up each of the papers in the order in which it appears in the volume before us.

Since the period when the discovery of the Hitôpadésa revealed to the world the origin of those ancient fables which, through the medium, principally, of the Kalilah u Dumnah, became, during the middle ages, naturalized in the West, constituting the never-failing source whence the *trouveurs* of Normandy derived the materials of their *fabliaux*, and the tale-tellers, of later days and other countries, some of their choicest *morceaux*, the attention of those who delight in tracing the history and progress of fiction has been directed to the further development of those hidden stores which might be expected to throw a new light upon the obscurest portions of their favourite pursuit. The curiosity excited, in the first instance, by Sir William Jones, was soon gratified, in a manner that left little to be desired, by Mr. Wilkins's translation of the newly-discovered volume; but the interest awakened by it was not suffered to subside, and the critical observations of M. de Sacy, and the edition of the entire text by Mr. Colebrooke, have succeeded in keeping it alive up to the present moment. This extensive collection of Apologues has consequently become familiar to the literati of Europe, by whom it is generally regarded as the true and original basis of those delightful fictions



which, variously modified and embellished, still continue to contribute to the entertainment of the nations of the West equally with those of the East. This claim, however, so far as regards its originality, has frequently been disputed in favour of another work, the 'Pancha Tantra,' which seems now to be clearly ascertained to be of earlier date, and to have served moreover as the quarry from whence the Arabian compiler drew the materials of the *Kalilah u Dumnah*, to which, in fact, it bears, in many points, a far more striking resemblance than the *Hitópadesa*. This latter consideration renders it, perhaps, a matter of some regret that the earlier work was not rather selected for translation, which may now be considered as precluded, with regard to it, by the general similarity of the two collections, although the differences which characterize the 'Pancha Tantra' are such as to establish its claim to superior interest, as well as to higher antiquity. Under these circumstances, and fully sensible that entire translations of both would but consist, for the most part, of needless and fatiguing repetitions, those who take an interest in the subject cannot but feel deeply indebted to Mr. Wilson, the learned and zealous Secretary of the Asiatic Society of Bengal, for his 'Analysis of the Pancha Tantra, illustrated with occasional Translations' of the most striking passages and tales peculiar to that work, which forms the first article in the present part of the Transactions. To follow the author through this comprehensive Analysis, would occupy more space than we can spare from more important matter, and would besides afford so very imperfect an idea of his work, that we must refrain from entering into the subject, merely observing, that it is one from which those readers who feel the powerful charm derived from its exhaustless interest, will extract considerable information, as well as amusement. But we cannot turn from this paper without noticing the sound and liberal feeling evinced by Mr. Wilson on this as on other occasions, in lending the sanction of his name, and the aid of his pen, to the infant labours of Societies, which too many in his situation would have regarded with a jealous eye, as the competitors and rivals of their own more antient institution, but in which he has shown that he only sees honourable and useful coadjutors engaged in one common and laudable pursuit.

The next article consists of an account of three 'Inscriptions upon Rocks, in South Bihár, described by Dr. Buchanan Hamilton, and explained by H. T. Colebrooke, Esq.,' who candidly admits, that he "observes little interesting in them besides the names and the dates," circumstances with which it is not our purpose to weary the patience of our readers. This is followed by a paper on a similar subject, by Major Tod, entitled, 'Comments on an Inscription upon Marble, at Madhucarghar, and three Grants inscribed on Copper, found at Ujjayani,' accompanied by Notes from the pen of Mr. Colebrooke, who has also furnished translations of the three grants from the original plates presented to the Society by Major Tod, and of which lithographic fac-similes are given. The profound research and critical acumen which characterize these gentlemen, will always

command a confidence almost implicit in their illustrations of the History and Antiquities of India; but the desultory nature of the paper before us, the object of which is to deduce from all accessible sources of information, the names and order of succession of one of the four great Rajpoot families which ruled in the north of the Peninsula of Hindoostan, in the eleventh and twelfth centuries, precludes the possibility of offering, in a few words, an intelligible synopsis of its contents, which, after all, possess little of general interest.

Mystery is generally the parent of curiosity; but sometimes the converse of this proposition takes place, and a morbid curiosity creates for itself mysteries which have no existence in fact. Those who are willing to see, in every harmless association, the elements of civil discord and of the ruin of states, can always find plenty of materials for the construction of a system, of which the Society to whom it is attributed, and who are supposed to make it their rule of action, may be as ignorant as the most utter stranger to their tenets. It would seem that the Chinese Government, whose paternal feelings are put forth with as much ostentation, and apparently with as much truth, as those of some Continental governments, entertains, in common with the latter, and probably from the same common cause, a great horror of secret associations; and this feeling necessarily produces, through the agency of those who are ambitious of courtly honours, or covetous of more substantial rewards, the discovery of conspiracies and associations without number, which, but for this salutary vigilance on the part of the constituted authorities and their subordinate agents, might have gone on conspiring and associating to the end of the world, without creating the slightest alarm, or perpetrating the most trivial mischiefs. Whether Dr. Milne has been led away by a natural deference to superior authority, or by an uncontrollable love of the marvellous, to depict, in the most frightful colours, the dogmas of a Society of which he knew nothing, except from the testimony of those who were interested in giving it a bad name; or whether he derived his information from credible witnesses, and has embodied in his narrative nothing but plain matter of fact, it is obviously impossible for us to determine. But when we consider the character of the Chinese Government, the alleged nature and tendency of the Society, and, more especially, when we reflect that in countries nearer home, with the affairs and manners of which we are intimately acquainted, (Spain and Germany, for example.) charges of a nature exactly similar have been made against Societies whose objects were as remote as possible from the schemes of plunder and devastation imputed to them, we cannot help inclining to the former opinion.

Be this as it may, the learned and lamented author himself confesses that he offers the remarks contained in this 'Account of a secret Association in China, entitled the *Triad Society*,' "not as the result of firm and unhesitating conviction, but as having a good deal of probability to support them, and as containing the substance of the best information procurable in his situation." It may be as well just to trace the outline of the Society's tenets, form of government, &c.,

as sketched by Dr. Milne under this preliminary reservation. In the first place, then, its very name seems to be involved in obscurity, for of several which the learned Principal gives, he is at a loss which to choose; a difficulty which we may suppose, not without probability, to arise from various distinct societies having been confounded together, with the view perhaps to include them all in one common proscription. He fixes, however, upon *San ho hwuy*, i. e. "The Triad Society, or the Society of the Three United," and next proceeds to develop their object, which, he says, "at first does not appear to have been peculiarly hurtful; but, as numbers increased, the object degenerated from mere mutual assistance, to theft, robbery, the overthrow of regular government, and an aim at political power." In the early part of the reign of the late Emperor, Kea King, this society, which was then exceedingly numerous, and bore the designation of *T'heen te hwuy*, i. e. "The Celesto-terrestrial Society," had made great progress towards the attainment of its latter object, but its machinations were finally defeated, and the official report declared, "that there was not so much as one member of that rebellious fraternity left under the wide extent of the heavens"; a broad assertion, which Dr. Milne does not hesitate to call in question, maintaining, on the contrary, that they continued to exist in secret, simply changing their name, for the purposes of concealment, to that by which the society is at present known. In foreign colonies, where political power is out of the question, he declares their objects to be plunder and mutual assistance, as well to enable their comrades to escape the hands of justice, as to relieve them from the pressure of distress. If their party happens to be very strong, individuals frequently put themselves and their property under the protection of the society, which is always afforded on the payment of an annual sum; and, "in such places as Java, Singapore, Malacca, and Penang, when a Chinese stranger arrives to reside for any length of time, he is generally glad to give a trifle of money to this brotherhood, to be freed from their annoyance," which is sometimes carried to very alarming lengths.

The government, such as it is, is said to be vested in three persons, called first, second, and third brothers; but of the laws, discipline, and internal management of the society, Dr. Milne has not been able to procure any certain information. Their initiatory ceremonies are said to take place at night, in presence of an idol, to which offerings are presented, and before which the oath of secrecy, &c., consisting of thirty-six articles, is taken. This ceremony is performed by the candidate for initiation, standing between two ranks of members, holding their drawn swords over his head in the form of an arch. They recognise each other by secret signs, of which mystical numbers (particularly the number three) and peculiar motions of the fingers, are said to constitute the principal features. Their seal, a figure of which is given, is of a quinquangular shape, enclosing two octagons, a square, and an oblong parallelogram, each having its appropriate characters, which are supposed to shadow forth the whole mysteries of the society. These characters, however, in their ordinary meaning,

present little that is mysterious; but they are believed to have an occult sense, intelligible only to the initiated. In their pretensions to great antiquity, which they affect to carry back to the "first settlement of China;" in making benevolence and mutual assistance their professed object; in the ceremonies of initiation; in their ruling brethren; in their secret signs; and in their maintenance of the doctrine of "liberty and equality," which "some have affirmed," says Dr. Milne, "to be the grand secret of freemasonry," the learned Doctor traces a resemblance between the *San ho hwuy*, and the society of freemasons, without, however, imputing to the latter, in the British empire at least, any of the dangerous principles which characterize the former. Whether they meet in lodges, he is unable to determine, but he believes the law of China, which punishes with death the crime of belonging to this society, to be too rigorous to admit of such a mode of association. Such is the bare outline of the information collected by Dr. Milne, which, it may be proper to add, appears to be supported by the silent testimony of Dr. Morrison, by whom the Paper is communicated.

Mr. Trant's 'Short Account of the Sauds,' (a sect, the chief seats of which are Delhi, Agra, Jayapur, and Furrukhabád, and which in its customs resembles the Society of Friends in a remarkable degree, follows. The 'Extracts from Pekin Gazettes,' which succeeds to this, hardly deserved the trouble which Mr. Davis has taken in translating, and Sir G. T. Staunton in communicating them to the Society. The first two derive perhaps some little interest at the present moment from their relation to the Burmese frontier of the "Celestial Empire," but they merely state, the one, that the "tribute-bearer" of the Mëen-tëen nation (a state which it appears borders both on Yun-nan and Ava) is travelling peaceably homewards; and the other, that the Viceroy of Yun-nan and Kwei-chow solicits to be excused from the usual triennial introduction to the Emperor, on the ground that his presence is necessary to superintend the watch-towers and lines of communication forming on the frontier. The third and last extract contains a proposition from the Viceroy of Füh-këen for restoring the equilibrium between silver and the copper currency, which had become greatly depreciated in that province in consequence of an over issue. The remedy proposed and adopted is, that "from the summer half-year of the fourth of Taou-Kwang, (the name of the present Emperor,) the mint should be shut, and all further coinage suspended; the soldiers receiving their pay in silver, until the relative values of silver and currency approach nearer to a par. Appended to this Paper, are lithographic figures of the coins of the six Emperors of the reigning dynasty, executed in a style which proves that that valuable and daily improving process is fully capable of representing with scrupulous fidelity the most difficult subjects of the Numismatic art.

It may be as well to notice in this place another article by Mr. Davis, although not immediately following in the regular order of the Papers. This is entitled, 'Eugraphia Sinensis, or the Art of Writing the Chinese Character with correctness, contained in ninety-two Rules and

Examples; to which are prefixed, some Observations on the Chinese Writing.' It is obviously of great importance that those who carry on an intercourse with the Chinese in their own language, should be capable of writing it with facility and elegance; and we entertain no doubt that the work translated by Mr. Davis, and the illustrations of its rules, which occupy eight lithographic plates, each comprising a considerable number of characters, are well calculated to facilitate that object. It might perhaps with greater propriety have been published in a separate form, or in a work more peculiarly devoted to Chinese literature, such, for instance, as Dr. Morrison's excellent 'Miscellany,' which would have ensured its more general diffusion among Chinese students; but even in its present situation it will doubtless be found serviceable.

A 'Memoir on Bundelkhund, by Captain James Franklin,' is the next paper to which we shall call the attention of the reader. After tracing the boundaries of this extensive tract of country, comprising a surface of nearly 24,000 square miles, together with a population of about 2,400,000 inhabitants, the author proceeds to take a general view of its history. Commencing with the Chaudéla race of sovereigns, the most antient of which there is any existing record, he gives from the Chohan-rasa, (the favourite poetical chronicle of the Rajpoots, and which is "familiar in their mouths as household words,") all that can be collected on the subject of that dynasty, which was overthrown by the last Hindoo monarch of Delhi, just before that kingdom itself fell a victim to the invasion of Mahmud of Ghizni. From the time of this celebrated conqueror to that of the no less celebrated Timour, a gap occurs which there are no materials to fill up. About this latter period, the province was overrun by a tribe of adventurous Rajpoots, under the command of a chief named Déwadá Bir, who founded the Bundéla dynasty, from which the country derives its appellation, and which continued to rule with increasing splendour down to the reign of Jehan Ghir. But a rebellion of the then reigning Prince served as a pretext, under colour of which the Mohammedan government took possession of his dominions; and, although the warlike character and unconquerable spirit of the Bundélas speedily reinstated the legitimate successor, yet his power was so completely shaken by its temporary suspension, that his territory became broken up into numerous petty states, each ruled by its own independent Rajah. Such was the state of affairs up to the commencement of the present century; since which time, various circumstances have contributed to place these states more or less completely at the disposal of the Company's officers, (absurdly enough termed the British Government;) and their immediate rule is now recognised over a large proportion, while their "protection" is "enjoyed" by the "independent" governments which compose the remainder of this once powerful province.

Bundelkhund is intersected by numerous rivers, none of which are navigable, neither do their waters naturally serve to fertilize the country, which is remarkably sterile. Captain Franklin notices, how-

ever, a great number of artificial lakes and reservoirs, constructed at a vast expense by former despotic and tyrannical rulers of the Bundéla dynasty for the purposes of irrigation, which the nature of the soil imperiously demands. It is not stated that the present mild and paternal Government has made any such provision for the comfort of the inhabitants. A description of the different chains of mountains follows; and this is succeeded by a general outline of the surface of the country, which contains no forests, although a considerable portion of the lowlands, "particularly in the Native States," is covered with jungle. Many thousands of acres, which are thus suffered to lie waste, "might, by ordinary means and management, be brought into cultivation; but there is either a want of capital, or a want of confidence between the governing and the governed, which retards this desirable improvement." The consequence is, that, in times of scarcity, the lower orders of the population are reduced to the necessity of subsisting on the fruit of the mahiû; and even this, in seasons of extraordinary dearth, is sometimes mixed with the pounded bark of the kathal tree, to the deleterious effects of which, the miserable wretches who are reduced to the necessity of using it, are observed soon afterwards to fall victims. The diamond mines, which are the exclusive property of the Rajah of Pannâ, appear to be nearly exhausted; for, although adventurers are allowed to dig them on the payment of one-fourth of the produce to the Rajah, this privilege is rarely claimed. The iron mines, on the contrary, appear to be peculiarly rich, and the author suggests to the Government the advantages of employing a small capital in working them, for the use of the magazine and arsenals, and thus affording constant employment to the wretched inhabitants, as a matter both of policy and philanthropy—ideas, however, which the Government of India appear to be incapable of combining. The manufactures are of very trivial importance.

Dr. Whitelaw Ainslie's 'Observations on the Lepra Arabum, or Elephantiasis of the Greeks, as it appears in India,' compose the most complete history that we have yet seen of that dreadful and disgusting malady. The details into which he enters on the predisposing causes, the progressive symptoms, and the mode of treatment, deserve, and will no doubt receive, the attentive consideration of the medical profession; and more especially of such of its members as are immediately connected with India. As, however, this can hardly be considered the proper place for an examination of such a topic, we shall leave Dr. Ainslie's Paper to the test of professional investigation and experience, which alone can confirm or invalidate his opinions.

The history of those among the successors of Alexander who, shaking off the dominion of the Seleucidæ, succeeded in establishing for themselves independent kingdoms in the heart of Asia, is a subject involved in such deep and apparently impenetrable obscurity, as to have baffled the researches even of the most laborious and successful cultivators of this department of science. Thus, in place of exhibiting any connected series of events, their inquiries have led to little more than the heaping together of a confused mass of conjectures

totally irreconcilable with each other, and of which the discovery of a new fact serves but to expose the futility, while it gives rise to other theories, in all probability as unfounded as those which have gone before. In this state of utter uncertainty, we are not disposed to place any very positive reliance even on the opinions of Major Tod, although we know of no authority to which we would yield a more willing deference on almost any subject connected with the north of India. 'An Account of Greek, Parthian, and Hindoo Medals, found in India,' contributed by that gentleman, is chiefly remarkable for the varied and discursive comments which are applied to the illustration of two new coins of Apollodotus and Menander, Princes of the Greek dynasty, which filled the throne of Bactria, or Balkh, and ruled over an extensive territory beyond the Indus during a period of 120 years. The great variety of information, derived as well from Indian as classic authors, which Major Tod has brought to bear upon this particular point, may serve, at least, to show that the subject has not been exhausted by those who have preceded him in the hopeless task of developing the history of this remote period, and that much may even now be done towards reducing it to some intelligible system. But as it seems tolerably clear that the results to be anticipated from its further investigation, will be far, indeed, from compensating for the time and labour expended in its pursuit, we must be excused from entering further into the consideration of so obscure and unpromising a subject.

The Paper 'On the Valley of the Setlej River, in the Himlaya Mountains, from the Journal of Captain A. Gerard; with Remarks by H. T. Colebrooke, Esq.' which closes the present series, consists chiefly of an abstract of the diary of the progress made by the enterprising traveller first named, and his brother, in their arduous survey during the summer of 1821. It is quite impossible, within the limited space which we can assign to an article like the present, to particularize the great number of places visited in the course of this stupendous journey, or even to give an adequate sketch of its leading features. We must, therefore, abstain from entering into the subject, further than to notice a few of the results adverted to in Mr. Colebrooke's remarks. These refer principally to the various elevations of the mountains and passes traversed in the course of the expedition; the greatest height attained, during this excursion, being at the Manéran Pass, 18,612 feet above the level of the sea. An opportunity was also seized of measuring trigonometrically the elevation of Pargéúl, the highest station visited on two previous journeys, and then calculated by the barometer to reach 19,411 feet; the trigonometrical observation gave a result of 19,442. The difficulty of breathing, lassitude, and head-ache, consequent on the diminished density of the atmosphere, appear scarcely to have been felt at a less height than 15,000 feet, numerous villages existing at an altitude of 13,000, in which no such sensations were experienced. The extreme limits of vegetation vary in different positions: on the ascent of the southern slope of the snowy range, cultivation is not carried above the height of 10,000 feet; 11,800 feet may be reckoned the upper limit of forest,

and 12,000 that of bushes. But on advancing farther into the interior of the great chain, cultivation extends to 13,600 feet; fine birch trees are met with at 14,000, and tamar bushes, which furnish excellent fire-wood, at 17,000 feet above the level of the sea. Several attempts were made to pass the line of boundary and penetrate into Chinese Tartary, but without effect, the extreme vigilance of the Chinese baffling all the endeavours, and compelling them to relinquish their object. Mr. Colebrooke concludes, by pointing out the valley of Gandhak River as one of those unexplored points which may be expected to be the most productive of valuable information, and as the probable route by which the Dhawalāgiri, or White Mountain, the most stupendous of the whole range, may be approached; and confidently anticipates that its altitude will be found to be "not less than 27,000 feet above the level of the sea."

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 REMEMBRANCE.

SUMMER 'twas—when first we loved,  
 Summer—but the sun that moved  
 Through his hottest track on high,  
 Felt not fiercer fires than I.  
 Shall we, shall we pause, and cast  
 A look, love, on the life we past,  
 When thy blue eye first I met,  
 Blue as heaven, while morning yet,  
 Drowsy on the eastern wave,  
 Lingers near her natal cave?  
 Was it Fortune's golden hand  
 That wove our Hymeneal band?  
 Was it that which led us still  
 To seek at eve the dusky hill,  
 While the unmark'd stars above  
 Twinkled on our hallowed love?  
 Did our young hearts not resemble  
 Two streams o'er which the willows tremble,  
 As they hurry down the brow  
 Of some high mount, to meet below,  
 While above them hangs the cloud,  
 And the thunder muttering loud?  
 Saw we aught before our feet,  
 But the truth that we would meet,  
 Would meet, though all life's track behind  
 The meeting moment, we might find  
 Stewed with piercing cares and ill,  
 And gulfs of sorrow widening still?  
 We met—and, like a changing dream,  
 Our path was gilded by the beam  
 Of brighter days, as on we moved,  
 And blessed the hour when first we loved.

BROW.



## LETTERS OF SIR WILLIAM PETTY.

*To the Editor of the Oriental Herald.*

SIR,—The annexed Papers contain exact copies which I took from the original letters in the British Museum, (Ayscough). The writer, who had just attained the age of twenty-one, became so justly celebrated, that he has a place in all biographies; yet the repetition of a few particulars respecting his early history cannot here be unacceptable.

William Petty, the ancestor of the Marquis of Lansdown, and from whom that nobleman, I am persuaded, deems it an honour to have descended, was born in 1623, at Rumsey, where his father was a small clothier. There, according to Wood, (*Athen. Oxon.*), "while a boy, he took very great delight in spending his time among artificers, as smiths, carpenters, joiners, &c., whose trades, in some respects, he understood so well, in short time, at twelve years of age, that he could work at them. At that time," adds Wood, "he went to the grammar school there."

In his *will*, a MS. which I have read in the British Museum, Petty says, "At the full age of fifteen years, I had obtained the Latin, Greek, and French tongues, the whole body of common arithmetic, the practical geometry and astronomy, conducing to navigation, dialling, with the knowledge of several mechanical trades. After this, I went to the University of Caen in Normandy; and, upon my return to England, was preferred in the King's navy, where, at the age of twenty years, I had gotten up about threescore pounds, with as much mathematics as any one of my age was known to have had." Wood says, that he "maintained himself" at Caen "with a little stock of merchandizing that he then improved." Mr. Graner relates, on the authority of a MS. in *Mus. Ashmol.*, how "he told Mr. Aubrey, that he was driven to great straits for money when he was in France; and that he had lived a week upon two or three pennyworth of walnuts."

From the *will* it also appears, that Petty left England again in 1643, and pursued his studies, especially the study of medicine, at Utrecht, Leyden, Amsterdam, and Paris. In 1646, he returned to his father's house at Rumsey, bringing with him his brother, Antony, for whom he had provided abroad, with about ten pounds more than he carried out of England, having no doubt successfully occupied his "threescore pounds."

Such then was William Petty at the date of this correspondence. How largely he acquired the goods of fortune, and the nobler riches of the mind, during the forty years which succeeded, till his decease in 1687, I cannot venture to tell, even in the most summary way, within the limits to which I must now confine myself. I may possibly find another opportunity of pursuing a subject so attractive.

John Pell was much the senior of his correspondent. He was born in Sussex, in 1610. "At thirteen years of age," according to Wood, "he was sent to Trinity College, Cambridge, being then as good a scholar as some Masters of Arts. He was of a strong and good habit of body, and therefore using recreations seldom or never, he plied his studies while others played." He graduated in 1631, and "then understood, besides Latin, Greek, and Hebrew, Arabic, Italian, French, Spanish, High and Low Dutch." In 1643, he became "Professor of the Mathematics at Amsterdam, where his learned colleague, Vossius, heard him with admiration read his public lectures."

In 1646, Pell was appointed, by the Prince of Orange, "Professor of Philosophy and Mathematics in the *Schola Illustois*, at Breda, founded that year." In 1652, he returned to England, and, in 1654, was appointed by the Protector his Resident with the Protestant Cantons, remaining chiefly at Zurich, till his return to England in 1658. He now took a very active part in those associations, among men of science, which at length produced the Royal Society. In 1661, he became a beneficed clergyman in Essex. According to Wood, "he was a shiftless man as to worldly affairs, and his tenants and relations dealt so unkindly with him, that they cozened him of the profits of his parsonages, and kept him so indigent, that he wanted necessaries, even paper and ink, to his dying day." The biographer adds, that "he had been once or twice cast into prison for debt," and indignantly exclaims, "with shame be it spoken to the great *Virtuosi* of this age." Our learned philosopher, so ill-endowed with the wisdom of the world, died in 1685, and was buried by the charity of the celebrated Dr. Busby, and Dr. Sharp, afterwards Archbishop of York, in whose parish of St. Giles-in-the-Fields he closed his embarrassed life, and his learned labours, leaving behind him, in MS., several valuable Papers on mathematical science.

OTIOSUS.

April 20, 1826.

SIR,—On Sunday noon I received your letter of Friday, together with nine copies of your refutation of Longomontanus,<sup>1</sup> the which, according to your desire, I have distributed as followeth: viz. to Golius,<sup>2</sup> who, upon perusal of it, said it was a most solid refutation, thanking you very much that you remembered him with a copy; and said withal, that he, at his last being at Amsterdam, much endeavoured to have waited on you there. But he

<sup>1</sup> Christian Longomontanus, a native of Denmark, where he filled the chair of Mathematical Professor, from 1605 to his decease in 1647, at the age of 85. He had passed several years of his earlier life with Tycho-Brahe, whom he assisted in his astronomical pursuits. In 1612, Longomontanus had published his *Cyclometria*, which was reprinted in 1617 and 1664. In that work he professed to have discovered the quadrature of the circle. Against this pretension, Pell had just now printed, at Amsterdam, this refutation, consisting of only two quarto pages.

<sup>2</sup> James Golius, a native of the Hague. He succeeded Erpenius as Arabic Professor at Leyden, where he died in 1667, aged 71.

told me that it is well thirty years since Longomontanus, his doctrine, first saw light; since which time, he hath, by many letters, been advertised of his error, but being strangely enamoured with his invention, could not be made to retract it, and so hath grown extreme old in his dotage thereon. "Wherefore," said Golius, "it were scarce religion to trouble the obstinate old man any more, since other thoughts would better become his years than the mathematics."

I then went to Salmasius, *Professor Honorarius*,<sup>3</sup> who likewise shewed many tokens of his kind acceptance; and told me (among other discourse, whereof I had much with him,) that the age of the author of this false opinion would set an authority upon it, and, therefore, it had the more need of refutation. Walæus<sup>4</sup> thanks you very much, expressing no faint desires to have the honour (as he said) of your acquaintance. I gave one to Mons. de Laet<sup>5</sup> but this morning; for at the many other times that I had formerly been to wait on him, I was not so happy as to find him. Mons. de Laet will be at Amsterdam before my letter. Van Schooten also thanks you: but he being very old and indisposed, I had not much talk with him as I had with the others.

To Dr. Kyper, being a man reasonably versed in those studies, and not of low esteem here, I presented one. I have given two to Toncher Hooghland, a chemist and physician, Des Cartes his most intimate friend and correspondent, who hath promised, at his next writing, to send one to Des Cartes. And so having retained only one to show my friends up and down, where I go, I hope they are all disposed of to your mind. If you please to send twelve more, I can dispose them to some other professors: three or four I would send for England to Mr. Oughtred,<sup>6</sup> Mr. Barlow,<sup>7</sup> and others, if you do not yourself.

I judge by the leaves that these copies are part of some book which you will shortly bless the world with,<sup>8</sup> and hope that my expectation shall not

<sup>3</sup> In which he had succeeded Scaliger. Claude de Saumaise, a very learned and voluminous writer, died in 1653, aged 65. He is now chiefly remembered for his sharp controversy with Milton on the execution of Charles I. A French biographer allows the royal cause to be good, but adds, that Salmasius "l'affoiblit par le ton ridiculement ampoulé qu'il donna à son ouvrage."

<sup>4</sup> Professor of Theology at Leyden.

<sup>5</sup> John de Laet, a native of Anvers, where he died in 1649. He was a learned historian and geographer, and also "Directeur de la Compagnie des Indes."

<sup>6</sup> William Oughtred, a native of Eton, who died in May 1660, aged 86. He is said to have "expired in a sudden ecstasy of joy, upon hearing the news of the vote at Westminster, which passed the first of that month, for the restoration of Charles." One would hope there is here some error, and that this very learned person did not thus add to the too copious catalogue formed by "the folles of the wise." Mr. Oughtred "was presented, about 1603, to the living of Aldbury in Surrey," where "he continued his mathematical pursuits." These sciences "were the darling object of his life, and what he called the more than Elysian fields." David Lloyd says, "that he was as facetious in Greek and Latin, as solid in arithmetic, geometry, and the sphere of all measures, music, &c.; exact in his style as in his judgment; handling his tube and other instruments at eighty, as steadily as others did at thirty; owing this, as he said, to temperance and archery."

<sup>7</sup> Perhaps Thomas Barlowe, who became Bishop of Lincoln in 1675, and died in 1691, aged 84. He, however, is said to have been "a declared enemy to the improvements made by the Royal Society, and to what he called in general, the new philosophy."

<sup>8</sup> Wood (*Athen. Oxon.*) mentions, as the first of Pell's publications, "Con-

be in vain. Now, Sir, I must thank you for the honour that you have done me, by using me as an instrument in this your business. Truly, I do so well like the employment, and so respect this your favour, that I confess myself obliged to be your most affectionate friend and humble servant,

W. PETTY.

Leyden, 14-24 August 1644.

Mons. Pell, tot Amsterdam.

In de oudt convoy op de Zee dyck.

There are some in whom (as in him *qui expede Herculem*, &c.) this your *magnum opusculum* hath begotten such an opinion of your merit, that they resolve to go live at Amsterdam to receive your instructions.

SIR,—According to your desire, I have presented your Refutations to Dr. Spanheim<sup>9</sup> and Hedbordus, as also Dr. Wyberd, an Englishman and mathematician, with divers others, who do all accept them very gratefully.

As for sending copies into England, I shall be able to do it to no more than Mr. Oughtred and Mr. Barlow. I thought I could have sent to some others, by the help of some gentlemen, my friends, who, having now come from the *Leagher*, tell me that they know no certain conveyances these troublesome times. The waiting their coming home to know what they could do, hath occasioned my so long silence, which I pray you to excuse, and believe that I will attempt an amends of it by all the offices of an affectionate friend and servant, which I am.

WM. PETTY.

Leyden, 8 Septemb. 1644.

Recd. { 9 Sepr.

{ 30 Aug.

Mons. Jean Pell, a Amsterdam.

In den oude convoye op de Zee dyck.

SIR,—Ffather Mersen,<sup>10</sup> his desire to convey this inclosed to you, serves mee for an happie occasion to expresse my thankfulnes for the good of that acquaintance with Mr. Hobbs,<sup>11</sup> which your letters procured mee, for, by his meanes, my Lord of Newcastle<sup>12</sup> and your good friend Sir Charles Candesh<sup>13</sup> have bene pleased to take notice of mee; and by his means also I became acquainted with Ffather Mersen, a man who seems to mee

roversia cum Christiano Longomontano de vera circuli mensura. *Amst.* 1647, 4to." This was probably the book which Petty expected.

<sup>9</sup> Frederic Spanheim, Professor of Theology at Leyden. He died in 1619, aged 49.

<sup>10</sup> Marin Mersenne, a fellow student and intimate friend of Des Cartes; also a friend of Hobbs, to whose book, 'De Cive,' he prefixed a commendatory Epistle. He died at Paris in 1648, aged 60.

<sup>11</sup> He had left England for Paris in 1641, and he was now "engaged in a mathematical controversy about the quadrature of the circle." Wood, (*Athen. Oxon.*) speaking of Petty at Paris, says he studied anatomy, and read Vesalius, with Hobbes of Malmesbury, who loved his company exceeding well, and was not wanting on all occasions to forward his pregnant genle."

<sup>12</sup> After the loss of a battle before York in 1644, the Duke of Newcastle had quitted England, despairing of the royal cause, and, in April this year, (1645,) had taken up his residence at Paris.

<sup>13</sup> Sir Charles Cavendish, brother to the Duke of Newcastle. He was the "friend and patron of Hobbs," and is described as "skilled in every branch of the mathematica."

not in any meane degree to esteeme you and your works, and who wishes your studies may ever succeede happily; hoping (as others also doe) that the world shall receyve light and benefit by them.

Sir, I desire you not to conceive that any neglect or forgetfulnes hath caused my long silence, for the often speeche I have of you, either with Sir Charles, Mr. Hobbs, and Ffather Mersen, (besides the courtesy I receyved from you,) makes me sufficiently to remember you. But, to speake the truth, it was want of business worthy to make the subject of a letter of 16 st. [stivers] postage, especially since Mr. Hobbs served you in procuring and sending you the demonstrations of the French mathematicians. I could wish, with Sir Charles, that wee could see your way of *analyticks* abroad; or if a systeme of the whole art were too much to hope for, for my own part, I could wish wee had your Diophantus,<sup>14</sup> which was ready for the presse before my departure from you.

Those rules of algebra (though few) which you gave mee, and exercise, have made mee able to doe many pretty questions. I intend to reade no authour on that subject untill I may bee so happie to reade something of yours. Sir, if there bee any thing wherein I might serve you, I desire you to use your thankfull friend and humble servant,

WILLIAM PETTY.

Paris, the 8th November 1645.

Received Nov. 9-19.

A Mons. Pell, in de oude convoy op de Zeadyk tot Amsterdam.

#### TO IBLA.

##### *From the Arabic Romance of Antar.*

By love taught to dare, I adore thee, proud beauty,  
And to see but thy shadow 's a blessing to me;  
My heart is thy vassal—I pledge thee its duty—  
Each pulse as it beats owns no sovereign but thee.

Oh! how can I picture thee? how be forgiven,  
If in painting perfection to language I fly?  
Did I liken thy face to the pale queen of heaven,  
Oh! where in her face is thy antelope eye?

Did I liken thy form to the palm tree beside me,  
Oh! where in that form is thy steps' airy sway?  
In thy forehead I search for a loadstar to guide me,  
But the sight of thy tresses bewilders my way.

Then thy teeth—Oh! a string of white pearls they resemble,  
If unliving things may with living compare;  
And thy bosom—to say what it pictures, I tremble—  
'Tis Eden!—May angels still make it their care!

E. C.

<sup>14</sup> The first Greek writer on algebra, translated into Latin 1575. Mr. Pell was now preparing a new edition, which does not appear to have been printed.

## UNPUBLISHED MANUSCRIPTS OF A TRAVELLER IN THE EAST.

## No. IX.

*Excursions in the Environs of Smyrna, to Sedikuey, Boodjah, and Bournabat—Greek Religion and Entertainments.*

THE multiplicity of objects which crowd themselves all at once on the attention of the traveller, who for the first time sets his foot on a new continent, is often painful ; but when, added to the novelty of the quarter of the globe visited, he makes his first entry into it by a city like Smyrna, where every thing is so dissimilar to that which he has been accustomed to see and hear in his native land, he is bewildered, and cannot for a long period either classify the objects to which he desires to direct his attention, or condense and arrange the impressions which these make on his judgment or imagination. In such cases, his materials for observation will be necessarily unconnected, except as to the successive order of time in which they may have been collected ; and it will not be until after a residence of some time in the city or country which forms the scene of his researches, that he will be able to arrive at those sound conclusions which mark the philosophic pages of such a writer as Volney. Nevertheless, there is much even in the scattered and disjointed observations of the traveller's diary worth preserving in its original form ; with all its character of first impressions, rude, perhaps, in their manner of being committed to paper, but vivid and more true to nature than any subsequent re-touching can make them. They form, indeed, the evidences on which the subsequent summing-up is framed ; and on that ground they may be quite as acceptable to those who like to accompany the traveller, step by step, in his wanderings, as the conclusions to which they lead may be important to those who seek only results, without stopping to examine the stages by which they have been attained. With this explanation, the narrative of these papers is continued from the last.

Wishing to enjoy as much as possible of the country air and scenery after our late voyage by sea, I did not remain a day in Smyrna before my wishes were anticipated, by an invitation to join a party of residents in an excursion to a village named Sedikuey, about ten miles from the city, which I eagerly accepted ; and on the morning after my arrival in the harbour, found myself buried in the most agreeable country retreat.

Sedikuey is a Turkish name, and, literally translated, is said to mean "The Village of Love." It is certainly in a situation where Nature furnishes every aid to the indulgence of that passion. Seated on the declivity of a grand amphitheatre of hills, and having before it a widely-extended plain, it enjoys the delicious freshness of the sea-breeze from the Bay of Smyrna, and the scenery, from every point

of view, is grand and interesting. In the course of our walk we halted at the "Fountain of Sighs," a neat little structure, built by some pious Musulman for the accommodation of Mohammedan travellers, but acquiring its present name from its having been the scene of some romantic love affair. It is embowered amidst a cluster of plane-trees, in a most sequestered spot, and affords an agreeable and refreshing shade and coolness. After resting a few minutes, and tasting its waters, we ascended the mountain, from whence we enjoyed one of the finest prospects, both in beauty and extent, that could possibly fill the eye. An immense plain, extending upwards of fifty miles, unbroken even by a hillock, covered with luxuriant vegetation, a serene atmosphere and cloudless sky, with the balmy softness of the surrounding air, impressed us with an idea that Nature had formed this beautiful spot for purposes of the purest enjoyment, while the stupendous masses of rocky mountains that skirted the outline of the picture, left us in doubt whether most to admire the grandeur or the beauty of her productions.

After an early dinner, which is the universal custom here, we rode to a Turkish village about two miles distant from Sedikuey, inhabited chiefly by farmers and peasantry. Nothing could present a more complete picture of filth, indolence, and poverty. The houses, or rather huts, were invariably of one room only, built of mud walls, and flat roofed, without either door or window, having an open entrance, and openings in the walls only, without any shutters. On the inside was neither table, chair, nor stool, the floor serving them for seats, beds, and all other purposes. The inhabitants appeared squalid and miserable; and while the children were rolling in dirt, and the wife sitting enveloped in her mahramah, the husband puffed away his *camas* in supreme indolence. Nothing about their farms evinced the slightest approach to good husbandry, but every thing bore the stamp of neglect and barbarism.

To avoid the heat of the sun, (which was now, in the middle of August, very considerable,) we mounted our horses at day-break for our return to Smyrna. On the road we overtook several trains of camels, which, in travelling, are fastened to each other, and form an extended line. They are animals admirably calculated for the climate and country, and, though possessing no individual claim to beauty, form a highly characteristic ornament to Turkish scenery. About midway between Sedikuey and Smyrna, on the summit of a hill, we passed through the broken arches of a ruined aqueduct, apparently of great antiquity, built in alternate layers of stone and Roman tiles, the pipes still in great perfection.

Shortly after passing this aqueduct, we arrived opposite to the mountain at the foot of which Smyrna stands. It was the Mount Pagus of the antients. Although the city, from demolition by war and earthquakes, has frequently changed its site, yet, in the remotest period, this hill seems to have been connected with it through all its changes, and to have formed the acropolis. After so many ages, it now consists of an embattled wall with many towers, square and

angular, enclosing about seven acres. From hence we possessed an excellent view of it, and it appeared yet in good preservation. There are, as appendages of great castles on the Gothic model, the ruins of a chapel, and a large arched cistern; nor does it appear that the inside space was ever built on, but used as a camp; when so manfully defended by the Knights of Rhodes. The present castle was put into a complete state of defence, if not wholly rebuilt by them, after having been destroyed by Tamerlane in 1419. Sultan Morad dismantled it, and it was finally restored by John Angelus Comnenus, who was a great benefactor to the city. The head of the northern gate is of white marble, sculptured with an inscription round the arch relative to the restoration of the city by the Emperor John Angelus Comnenus and his Empress Helena. On one side of the west gate is a colossal head, concerning which most travellers have offered a conjecture. It has been called a Sphynx, the Amazon Smyrna, and the Empress Helena. The western declivity has vestiges of the stadium, and the northern of the theatre.

Upon the middle space of Mount Pagus the ruins of a temple were lately discovered, the dimensions of which were fifty feet by twenty-seven within the walls. The stadium, when taken to pieces to build a khan, was 540 feet long, and the diameter of the circular end 288 feet, 120 of which were occupied by the arena, and the remainder by the subsellia. The vaults for savage animals were then discoverable; and legends report that it was here St. Polycarp was torn to pieces by wild beasts.

As we descended the hill, the rich valley underneath us, covered with Turkish gardens, presented a most luxuriant scene. It contains the *Meles*, the rivulet sacred to Homer, whose scanty stream is scarcely perceptible. In the Ambra of Politian is an elegant passage, describing the birth of the poet on its banks. The claims of Smyrna to the honour of having given him birth, are not, however, well substantiated, though certain it is that the Smyrneans considered him as their own, and were particularly jealous of that fame. They erected his statue; they cultivated the science of rhetoric in his temple; and they impressed, as a vehicle of the greatest notoriety, and the highest testimony of their respect, his portrait upon their current coins.

The entrance into Smyrna is through very spacious cemeteries and luxuriant cypress groves, the trees of which are in the richest state of foliage, and not less than 50 feet high. The surrounding cemeteries have a very singular appearance, and the cypress-groves afford a melancholy shade, which is quite in unison with the general character of the scene.

Passing the cemetery, we overtook a party of Turkish women, who had been paying their early visits to the graves of deceased friends. Their figures were not good, and their gait extremely awkward. Their faces were so completely enveloped in mahramahs as to prevent our seeing a feature, except the eyes, which were sparkling and vivacious, and as we gazed upon them with eager of curiosity, they turned aside to avoid being closely observed. The mahramah is formed by



two pieces of muslin, one of which is tied under the chin, enveloping the head, and the other across the mouth and half the nose, admitting space enough for sight. The dress is of very antient invention, calculated for the concealment of the person; nor can there be a more complete disguise. They were attended by black female slaves.

No people exceed the Turks in those religious observances by which the memory of deceased friends is continued and honoured. To frequent the grave of a parent or beloved relative, to offer expiatory prayers, or to mourn in silence for a long time after their death, is a duty which a good Musulman never neglects, and which he cannot perform by proxy.

In the cemeteries, the humbler graves are marked by cypresses planted at the head and feet, from which custom extensive groves have grown up in every possible stage of vegetation. Others are distinguished by upright stones, carved, for men, with a turban denoting their rank or occupation during life, and for women, with a plain round top. Inscriptions, containing the name and age, and some appropriate verses, are likewise embossed with raised letters, gilded and contrasted by a black or green ground very delicately wrought. Between some of these a chest of ornamented stone is placed, and filled with earth, in which the choicest aromatic flowers and herbs are planted, and regularly cultivated by the females of the family, who assemble in groups for that duty. This mark of respect is more generally shown to the young of either sex who die unmarried. It is of the highest antiquity amongst both polished and rude nations, and none can be more elegant and appropriate.

On the 25th of August, another opportunity presenting itself of visiting one of the numerous villages in the neighbourhood of Smyrna, chiefly inhabited by Europeans, who have their country houses there, I joined a party for that purpose, and proceeded early to Boodjah, a village which is rather larger, and in many respects superior, to that of Sedikuey. Situated in a fine plain, encompassed by vast chains of mountains, it receives from their passes refreshing currents of air, that moderate the sultry heats of an Asiatic summer. The houses are about two hundred in number, neatly built of light materials, with excellent gardens attached to them, and are principally occupied by Frank or European families. It is the country residence of the British Consul, the Levant Company's Chaplain, and most of the British merchants of Smyrna, and being at the convenient distance of about five miles from town, forms a desirable retreat.

In the afternoon we made an excursion to some aqueducts in the neighbourhood; and at five, reached the romantic spot called, with much propriety, the Lesser Paradise. It is a deep vale, caused by a seemingly abrupt separation of the earth, the hill on each side being formed of immense rocks heaped on each other; the interstices of which are filled with rich earth, and exhibit a luxuriance of vegetation amidst apparent sterility. Through the vale flows a broad transparent stream, whose course is in some places impeded by huge masses of stone, while in others it flows tranquilly along, exhibiting all the miniature

variety of the limpid rill and foaming cataract. Across this vale, to convey water from the summit of one hill to the summit of another, are erected two fine aqueducts. One of them is evidently ancient, though in a good state at present, and romantically overgrown with ivy. It is about seventy feet high, three hundred and fifty feet in length, and contains arches above and below, some circular and others elliptical; the latter of which are conjectured to be Turkish additions. Its stream is now used to turn a corn-mill above it, on the brow of the hill; and the former channel of its waters across the top of the aqueduct being at present dry, we walked over it to the opposite hill. The other aqueduct is about three hundred yards distant from the former; is sixty feet high, two hundred feet across, and has seven arches above and two below. This is of very modern date, said to have been built in 1674, is in a high state of perfection, and now in use, the channel for the water on the top being arched over with neat masonry. The surrounding scenery was rich in the extreme, and the effect of the aqueducts such as to give a superior degree of interest to the picture.

On the following day, we returned again to Smyrna, and on the 27th of August made another excursion to a larger village in the environs of the city, and in a different direction from the former ones. Our party first went by water to the head of the Bay of Smyrna, calling at the Carenage on our passage; and having horses waiting, which had been sent round by land, we rode from thence to the village of Bournabat, to witness a great religious festival of the Greeks, in which honours to the Virgin bear a conspicuous part.

Alighting at the house of a retired Armenian broker, we proceeded to the Greek church. The crowd of Franks who had come hither from Smyrna to witness the festivities of the day was immense, and literally lined every avenue to the church; we were therefore disappointed in our expectations of getting in, and were content to amuse ourselves with the grotesque figures that were returning from thence, in dresses that defy description, all extremely gaudy, loaded with a profusion of necklaces, ear-rings, and bracelets; and many of the females with their hair flowing on their shoulders, full of gold thread intermixed. They had been to pay their early adoration to the Virgin, that they might with quiet consciences devote the remainder of the day to pleasure. Their religion minutely resembles the Roman Catholic in most of its doctrines and ceremonies, although they express the greatest contempt for those who embrace that faith; a disposition arising wholly from their ignorance of the difference.

The separation of the Eastern churches from that of Rome, and the animosities which subsisted between them for many ages, are not to be ascribed to their early difference in opinion concerning the observance of certain festivals, nor even to the important subjects of dispute which gave rise to the Arian heresy; they are rather to be referred to that period when Constantine removed the seat of empire from Rome to Byzantium, and by augmenting the dignity of the latter see, rendered it formidable to the authority of the Roman Pontiff. In the second general council, the Bishop of Constantinople was allowed to

sit next to the successor of St. Peter; and, by the 28th canon of the synod of Chalcedon, he was permitted to enjoy an equal rank. No small resistance was made to these encroachments, but the Emperors of the East were strenuous to assert the privileges of the new city, and by the preponderance of their authority confirmed all its pretensions. The flame of resentment, though stifled for a time, broke out with increased fury in the eighth century. A new cause of offence was given by Leo, the Isaurian, in his zeal against images, of which the Roman Pontiff did not fail to take advantage. On this occasion, however, Gregory carried his persecution too far, and from that period the separation may be considered fixed and permanent. The attempts made by Michael Paleologus to allay the fervour of contention were vain. The mutual sacrifices required were unpalatable, both to the Roman and to the Constantinopolitan Prelate, so that each remains to this day the centre of a different system.

Considering the state of the Greek clergy, and the want of curiosity which seems to have prevailed in most parts of Europe respecting that church, a genuine account of its articles of faith and doctrines is difficult to be obtained. In consequence, however, of a controversy between the Port Royal and John Claude, the celebrated Protestant minister of Charenton, the religious tenets of the Greeks were scrupulously examined, by which it was ascertained that the doctrines of the Greek church differ but very little from those of Rome.

The doctrine of the Trinity, and the articles of the Nicene and Athanasian creeds, are received by the Greeks, in common with other Christians. In one particular, indeed, they differ: they believe that the Holy Spirit proceeds from the Father only, and not from the Father and the Son. In the number of its sacraments, the invocation of saints, the belief of the real presence, the practice of auricular confession, and in admitting masses and services for the dead, the Greek church is perfectly consonant to that of Rome. It is asserted, that the doctrines of supererogation, and its consequent indulgences and dispensations, are not adopted by the Greeks; but notwithstanding this and other less important peculiarities, it is evident from the most authentic documents that the creeds of Rome and Constantinople are not materially different.

Those Greeks who profess the Roman Catholic faith are invariably descendants of proselytes originally made by the Genoese or Venetians, to whom the Morea and the islands of the Archipelago were subject, and who receive it as an hereditary religion.

It seems to be the general opinion of writers on this subject, that nothing, excepting the dread of excommunication, operates more powerfully in restraining the Greeks within the pale of their own church, and preventing their apostacy to the religion of the Romanists or Turks, than a rigorous observation of rites and ceremonies. By their ecclesiastical ordinances, they are required to attend the service of the church on the Sabbath, and on all fasts and festivals, not only such as are usual, but such as are particularly appointed, and those are equally if not more numerous than the latter.

They administer the sacrament of the Lord's supper to infants newly born; and in the place of confirmation they substitute the chrism or sacred unction, being a part or appendage of the baptismal ceremony. Marriage is by them called the marriage coronation, from the crowns or garlands with which the parties are decorated. The sacrament of the holy oil, or euchariston, is not confined, as the extreme unction in the Romish church, to the sick and dying, but is given to devout persons on the slightest malady, if required. The lavipedium observed on Holy Thursday, in imitation of our Saviour's humility, differs little from that ceremony as performed by the Pope. On this occasion, Jesus Christ is personified by the Patriarch, and the twelve apostles by as many caloyers, when a ludicrous contest arises who shall be the representative of Judas, as the name attaches for life.

The service of the Greek church, like that of Rome at present, and that of all other churches before the Reformation, is principally choral. Their canons and antiphonies are hymns, or portions of scripture set to music, first recited by the minister, and then chaunted by the choir, but without musical instruments, which are not admitted in accompaniment.

They admit pictures into their churches, not merely as ornamental, but as indispensable in the ceremonials of their religion. They are usually attached to the skreen which secretes the chancel, and from thence receive the name of *Iconostas*. In the arguments advanced by Greek theologians in defence of this preference of painting to sculpture, there appears to be little solidity. They consider themselves as secure under the authority of St. John Damascenus.

The sacerdotal habits are not less various, splendid, and costly than those of the Romish church, being made of rich silk or velvet, embroidered with gold or silver; and in the emblematical and mystical properties attributed to clerical vestments, they rival the barbarism of the monkish ages in the obstinacy of their superstition.

All orders of the Greek church, inferior to bishops, are permitted to marry. The married papas, or priests, wear a fillet of white muslin round their bonnet of black felt, and long beard universally, and are never promoted to a higher dignity than that of proto papas of the church in which they serve. Celibacy and monastic habits are indispensably necessary in those who are candidates for the mitre.

The obsequies of the bishops are performed with various ceremonies, one of which is the exposing of the corpse several nights in a church, dressed completely in the pontifical vestments. In Pera, a suburb of Constantinople, when a papa dies, if his wife vow a perpetual widowhood, he is, by way of particular compliment, borne sitting upright to his grave. One who had married a most lovely woman, and enjoyed a singular degree of conjugal happiness, dropped down in a fit of apoplexy, and was hurried to his grave a few hours after. Previous to this ceremony, his wife was asked whether she would renounce all future connexions, that the deceased might have the honour of an episcopal funeral, which she declined. As he was carried through the streets, he sud-

denly came to life ; and, on re-entering his own doors, he gave his unexpected wife demonstrative proofs of his resuscitation by a severe beating !

The revenues of the church afford the clergy but slender salaries. A certain contribution is annually made amongst the devout Greeks, to maintain votaries in their pilgrimage to the holy sepulchre at Jerusalem, yet such as is insufficient to defray the whole expense to each individual, who makes up the deficiency. Both sexes perform these pilgrimages. The men are distinguished by the name of " hadjè," as amongst the Turks, and they bring back likewise a piece of sacred cloth for their own sepulture. The pilgrimage of the Turks to Mecca, of the Armenians to Ekmiasin, and of the Greeks to Jerusalem, have both in their conduct and consequences a very near analogy.

After being much gratified with the novelty of a scene that exhibited an eternal variety of persons, dresses, attitudes, and figures, we breakfasted with a Levantine family, and took a morning stroll through the village.

The situation of Bournabât, in the centre of a beautifully fertile valley, and at the head of Smyrna Bay, commanding an extensive view of all the town and harbour, with the shipping there, is infinitely preferable to that of the other villages in the neighbourhood ; in consequence of which so many persons have fixed their country residences here, that it has increased almost to a town,—an inconvenience which overbalances its best attractions. In the course of our ramble we visited the Bazaar. In the centre of a square, pleasantly shaded by trees, was erected a sort of stage, or platform, about two or three feet from the ground, to which the ascent was by three or four steps. This stage was divided into boxes, each capable of containing a party of about ten in number. The whole stage admitted about fifty of these boxes, each of which was occupied, and with the strangest groups that can possibly be fancied. In one of them were an Armenian and a Jew playing at backgammon ; behind them, a Greek, a Maltese, a Tunisian, and a Frenchman, at whist ; two Turks at dice in one corner ; and an old white-headed Carmelite friar, stooping over the rail, enjoying their diversion. In the next were Jewish and Armenian brokers conferring gravely on business ; behind them, a merry party entertained by a Greek buffoon. Further on, a group of black Mohammedans from Tunis and Algiers, relating their piratical adventures to some wondering Greeks ; and adjoining these, ten or twelve green-turbaned Turks, immediate descendants of Mohammed, enjoying the supreme and silent luxury of being buried in clouds of smoke. During our walk through the Bazaar, these last frequently attracted our notice ; and from our entrance until our leaving it, which was at least four hours, we did not observe one of them to speak, nor were their attitudes altered a hair's breadth. Every description of person who visits this platform is obliged to sit cross-legged, like the Turks, who, with their loose trowsers, fold their legs underneath them with great apparent comfort. In their pipes the Turks are ex-

tremely particular; the stem must be of jasmin or cherry-tree, with the bark preserved, perfectly free from the least knot or imperfection, straight throughout, and of as great a length as possible; the part for the mouth must be of pure amber, free from flaws, and in the colour of which they are very choice; the bowl to contain the tobacco is manufactured from a fine clay found at the foot of Mount Olympus, and which they cast in moulds, with various ornamental devices, the whole stained of a delicate pink colour. One of these pipes, when complete, will cost from five to ten pounds sterling, and every Turk is provided with pipes for his visitors. Almost all the Europeans have adopted the custom of smoking after the Turkish mode, so that into whatever house you enter, the first thing presented you is a pipe by the master, and coffee by the mistress, or the young lady, if there be one, which it is considered almost an insult not to accept.

From my personal aversion to smoking, it occasioned me some embarrassment at first, and cost me some pains to overcome it, but perseverance succeeded, and I soon learnt to puff against my inclination. Their coffee too is extremely unpalatable to a stranger. It is presented in a small cup without a handle, not larger than a wine glass, boiling hot, without milk or sugar, and so thick that you may be said to eat rather than to drink it. I confess this was more painful to me than the pipe; for the lady who presents it to you generally waiting before you for the return of the cup, politeness induces you to make haste in despatching it, and, unless your throat is fire-proof, politeness is sure to be dearly paid for. It astonished me, however, to see this group of Turks in the Bazaar, when coffee was brought them from an adjoining coffee-house, swallow it down literally boiling, and resume their pipe again with the greatest complacency. One of them, in particular, an extremely old man, drank a cup nearly every five minutes. His pipe was one of the most luxurious kind: the bowl rested on wheels, that he might roll it with ease at his pleasure; the stem, which was pliable, and formed of white leather, similar to an engine hawse, passed through a glass vessel full of cold rose water, which cooled and perfumed the smoke before it reached his mouth, and a little black slave sat at his feet ready to replenish the tobacco the instant it was expended.

After visiting every part of the village, and seeing much more than is possible to describe, but which afforded me abundant pleasure, we returned to the Armenian broker's to dinner, and passed an hour in walking over his gardens. These were laid out in an excellent manner.

Our dinner consisted of not less than thirty dishes, all of them excellent in their kind; the wines were of the first quality, and the dessert exhibited all the fruits of the season; the clusters of grapes surpassed every thing I had ever seen, and there were peaches on the table which weighed upwards of a pound each, of a peculiar kind, brought from the neighbourhood of Constantinople, and, notwithstanding their immensely large size, possessing the richest flavour. Over his pipe, the old gentleman lamented to us the contrast of the

times within his remembrance. At the period of the general peace, he described Smyrna as the scene of active commerce, and, at the same time, of the most brilliant gaiety. No jealousies, no party-spirit, operated to destroy the unanimity of different nations, but all distinctions were lost in the general pursuit of pleasure. Balls, concerts, conversaciones, succeeded each other with rapidity, and domestic visits filled up the intervals. But since war had again resumed his iron reign, a damp had been thrown on every thing, and not only those public entertainments had been abolished, but party-spirit had diffused distrust and jealousies into private circles, so that the bond of union was completely broken, and the whole face of affairs completely changed.

About an hour after the removal of the cloth, the family dispersed, according to daily custom, each to his separate bed-room, to indulge in sleep. My friend and myself repaired to a superb room which the old Armenian gentleman had fitted up in the Turkish style for festivals and particular entertainments. The ceiling was curiously carved and painted, and, from the centre, hung a splendid glass chandelier; the walls were ornamented with landscapes, cascades, and flowers; the floor was covered with a rich Turkey carpet, and, at the door, as mats, were two beautiful Angra goat-skins, dyed of a bright crimson, the hair of which was fine as silk. At the upper end of the room was a recess, to which the ascent was by two steps, and this contained the Turkish sofa, which extended itself all round the wall of the space thus elevated. It is much lower than the English sofa, and the back is composed of a number of pillows, placed so as to form one continued whole. From their being so low, they are uncomfortable to sit on after the English manner, and only adapted for sitting cross-legged on, or lounging, after the manner of the Turks. On these, however, we enjoyed a luxurious siesta, and at five o'clock dressed for an evening's walk.

The whole of our host's family accompanied us to the public promenade, where were assembled all the beauties of the village. The features of many were agreeable, and fine dark eyes were every where to be seen; but I do not remember to have seen one *beautiful* face, and those that were pretty were dreadfully disfigured by their grotesque dresses. In a little enclosure by the side of the road, were a party of Greeks dancing; their music was the lyra, a sort of guitar, and a bagpipe, which were played very inharmoniously, and the tune was completely without melody. I tried to retain it in my memory, but found it impossible, for they never played it twice alike. The dance was formed by about twenty men, who interwove their arms around each others necks, and made the figure of a crescent. Their brown naked legs moved in time to the music; the two ends of this semicircle advanced to meet each other, embraced, and then receded; and so on alternately.

It is astonishing with what different sensations one views a European and an Asiatic crowd. In England, particularly, the sameness of head dress gives a sombre hue to the picture, while nothing but black

hats present themselves to view ; but here, the endless variety of shape and colour, in the *turban* of the Turk, the *calpack* of the Armenian, and the *capello* of the Greek, with the long flowing robes and sashes of the most brilliant colours, give a richness and beauty to the picture that cannot fail to excite attention and admiration.

After being literally carried about by the crowd for some time, we returned to the Bazaar, where we found nearly the same parties as were there in the morning. The green-turbanned Turks had not, I am persuaded, moved from their seats ; they had sat smoking for hours, in all the silence of high sensual enjoyment, and seemed rivetted to the spot.

It was proposed to end the Sabbath with a dance, a practice in which persons of all sects here readily unite ; but our endeavours to procure music were ineffectual, as every performer in the neighbourhood had been early engaged. At ten, we returned to the Armenian broker's to supper ; and were entertained by his performance on a piano forte, which he kept for his own amusement merely, and, considering it as the effort of a self-taught genius, without the aid of either master or regular study, his skill, and even taste, were remarkable. The hilarity and good humour of the family kept us up until the approach of morning.

At day-break, our horses were in readiness, and we started for Smyrna, without having retired to bed, recruited by the delicious freshness of a most delightful Asiatic morning. About two miles from Bournabât, we passed through a Turkish burying-ground, where lay a profusion of broken pillars, fluted columns, shafts, and capitals, some fragments of which displayed specimens of exquisite workmanship ; beside which were huge masses of stone, and other remains of buildings. It is generally believed to be the ruins of antient Smyrna, whose site is allowed to have been so frequently changed, by earthquakes and other causes, as not to be known now with certainty. Among the columns, I could not avoid observing two remarkable ones, set up at the heads of graves ; they were about three feet in diameter, and had circular or spiral flutings, exactly resembling the pillars in the celebrated picture of ' Paul and Barnabas preaching at Lystra,' among the cartoons of Raphael, the only picture in which I remember to have seen such pillars represented.

Our ride to Smyrna was agreeable throughout, and terminated a little after sun-rise.

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SIMILE.

How often does anguish entwine itself round  
Our hearts—and o'ershadow our happiest hours ;  
As the poisonous nightshade will often be found  
To wreath its dark form 'mid the loveliest flowers !

L. L. L.



## TO THE MORNING STAR.

ALONE, from the dim watches of the night,  
 And the o'erpowering charm of thought intense,  
 I wander forth, beneath thy radiant light,  
 Thou glory of the world's magnificence !  
 While heaven and earth are sleeping, and the still  
 Light of unnumbered stars sleeps on the hill.  
 The hour is holy—man is not awake ;  
 And none but angels may behold me now ;  
 Oh ! it is rapture thus alone to make  
 Our home in heaven ; upon my pallid brow  
 The cool gale breathes, and o'er my thirsting soul  
 Fresh tides of light and heavenly beauty roll.  
 The quivering waters of the woodland brook  
 Flow musical ; the trees in dewy sheen  
 Wave gently murmuring ; and the star-light look  
 Of the blue summer skies o'er all the scene  
 Throws such an eloquence as Eden showed  
 When the first man first 'mid its wild flowers trode.  
 The sea's soft waves along the pebbled beach  
 Roll in glad music 'neath the starry light,  
 And, with their quietness delusive, teach  
 The mariner to dread their stormy might,  
 When from its depths the ocean swells on high,  
 And drowns the victim's last despairing cry.  
 Through the grey vapours of the morning loom  
 The gallant ships of merchandise and war—  
 How many hearts there think not of their doom !  
 How few will e'er return from climes afar !  
 Climes where the pestilence at noon-day slays,  
 And Mammon gloats o'er blood—oh, evil days !  
 How many eyes will see their home no more !  
 How fast they sail before the morning wind !  
 The white cliffs fade—their much-loved island's shore—  
 All the heart loves or hopes is left behind ;  
 Farewell ! by Burrampooter's eastern wave  
 Mysterious hands dig many a soldier's grave !  
 Dim grows the Eastern fleet ; on, on to death !  
 Ye seek ye know not what in foreign lands ;  
 Haste, and resign your honours and your breath,  
 And call it glory !—O'er the yellow sands  
 They vanish ! the horizon, darkly blue,  
 Reveals no more the mighty fleet to view.  
 Nor ever will ;—but now, again, farewell !—  
 The glorious sun breaks on the world in light,  
 And glittering vapours o'er the upland swell,  
 And melt away far in the azure bright.  
 Thus sighs the Bard in eastern climes afar,  
 While loved ones watch thy light, bright Morning Star !

L. P.

MR. MACNAGHTEN ON MOOHUMMUDAN LAW.<sup>1</sup>

*To the Editor of the Oriental Herald.*

SIR,—It must be a gratifying distinction to Sir Francis Macnaghten and to his son, the author of the present work, that we are indebted to them severally for the clearest expositions which have yet appeared of *Hindoo* and *Moohummudan* law. The latter production is more methodically digested than the former; but, from the very circumstance of *Moohummudan* law being better ascertained, and affording fewer topics for discussion and controversy, it is less interesting and readable. It is in truth a very dry book, and from the intricate rules for the distribution of property among co-existing near and remote heirs, one which displays and requires a more familiar acquaintance with arithmetic than one would look for in a lawyer. Whatever there is erroneous or questionable in the work of Sir Francis, may be traced to prejudices acquired in the administration of the *English* law; prejudices which detracted nothing from the justness of his discernment of *Hindoo* law, but only affected his opinions as to the most expedient mode of correcting what is wrong, and fixing what is doubtful in that law; whereas, his Reviewer,<sup>2</sup> who loved *Hindoo* literature “not wisely, but too well,” was thereby betrayed into important mistakes on every position about which he quarrelled with his author. In like manner, wherever Mr. Macnaghten has advocated what is objectionable, he has been misled by that “fondness for *Moohummudan* law, which he is not ashamed to avow.”<sup>3</sup>

Of all the systems of law that ever were known or imagined, the *Moohummudan* is the most adverse to the preservation of property in the successive generations of one family. By presenting the *simultaneous* inheritance, in different proportions, of near and more distant kindred, it at once reduces the largest fortune to moderate fragments, and, at the next step in the process, subdivides each fragment into smaller portions. It speedily transmutes wealth into competence, and competence into poverty; waging continual war with every habit and quality that conduces to civilization.<sup>4</sup> By the *Hindoo* and every other law, heirs, varying in degree of relation, inherit *successively*; and among *Moohummudans* alone may an inheritance “partly ascend lineally, and partly descend lineally *at the same time*.” Yet to Mr. Macnaghten these canons of inheritance “seem to be exactly what would be most consonant to the general inclination of mankind,”

<sup>1</sup> *Principles and Precedents of Moohummudan Law, &c.* By W. H. Macnaghten, Esq., of the Bengal Civil Service. Calcutta, 1825.

<sup>2</sup> In the *Calcutta Quarterly Magazine and Review*.

<sup>3</sup> Prelim. Remarks, p. 71.

<sup>4</sup> For a concise demonstration of this part of political economy, see *Edinburgh Review*, No. 80, p. 350.

though the rules observed among all other nations, antient and modern, are essentially different. Of the English system, Mr. Macnaghten thus speaks :

The apparently unjust preference of the elder son, to the exclusion of all the rest, which in our own law had its origin in the feudal policy of the times, is rejected by the Moohummudan law, and the equitable principle of equality obtains in its stead. The learned author of the Commentaries on the Law of England informs us, that "the Greeks, the Romans, the Britons, the Saxons, and even originally the Feudists, divided the lands equally." He admits that this is certainly the most obvious and natural way, and quaintly observes, that it has the appearance, at least in the opinion of younger brothers, of the greatest impartiality and justice. That there are reasons of expediency which suggest this preference, there can be no doubt; but how far it may be consistent with justice, may perhaps be questionable. It is by this principle of equality also, that the Hindoo law of succession is governed.<sup>3</sup>

The doubt implied in expressions "apparently unjust," and "perhaps questionable," are scarcely reconcilable with other parts of the text; and Mr. Macnaghten seems to be of opinion that the Moohummudan system is more just, while the English may be more expedient, not duly adverting to this incontrovertible truth, that nothing which is unjust can be expedient for individuals or for nations. By the constitution of the world, the power of propagating the human species greatly exceeds their means of increasing the produce of the earth; additions may be made to the former in a geometrical, and to the latter only in an arithmetical ratio; and the number of actual cultivators of the earth must always be small, and that of proprietors still smaller, compared with the whole body of consumers, that is, of those who by their services in the various occupations of life, and by the fruits of their labour in other departments of industry, can give an equivalent for their several shares of the productions of the soil. Rules of inheritance, therefore, which, like the Moohummudan, proceed on the supposition that there is no disparity between the possible increase of population and of food; which, by ensuring the bare means of subsistence, promote marriages without regard to the diminishing comforts which can be provided for the children to be begotten; which accustom families to a lowering standard of decent accommodation, instead of stimulating them to better their condition; which generate an excessive number of agricultural proprietors and labourers, and discourage the resort to other occupations,—must be highly *inexpedient* and *unjust*, as being injurious to the moral and intellectual improvement, and physical comfort, of the people subjected to their operation.

It would argue extreme shortsightedness in younger brothers to complain of the partiality and injustice of the right of primogeniture, for to it they owe the splendid advantages of education, connexion and patronage which they enjoy. What would the younger brothers of the Marquis of Tavistock be now, if the estates of the first Earl of Bedford had been partitioned, *toties quoties*, according to "the equitable

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<sup>3</sup> Prelim. Remarks, p. 8.

principles" of the Moohummudan law of inheritance? Even in point of property, the younger sons of men of landed possessions are immense gainers by the system to which Blackstone supposes they must be hostile. In fact, the evils which beset younger brothers are not the privations of property, but the snares of riches, and the temptations of fashionable dissipation.

In comparing the Jewish with the Moohummudan law of inheritance, Mr. Macnaghten, after quoting from Numbers, xxvii. 7—11, observes: "Here we find no provision whatever made for the parents, although there are certainly other obvious reasons besides that adduced in the emphatic language of the Koran, why they should not be excluded." But were they excluded? Is Mr. Macnaghten prepared to dispute the grounds on which Selden and Blackstone maintain, that "by the Jewish law, on failure of issue, the father succeeded to the son, in exclusion of brethren, unless one of them married the widow, and raised up seed to his brother."<sup>6</sup> The brief directions recorded by Moses, (leaving, however, much less to be supplied by inference than the passage in the Koran, which forms the basis of the Moohummudan rules of inheritance,) evidently proceed on the supposition that the children survive the father. "But," says Mr. Macnaghten, "it is sufficient for my purpose" (to evince his fondness for Moohummudan law, by complimenting Moohummud at the expense of Moses?) "that the law in question contains no *express* provision for the parents." Considering that the Moohummudan law allows daughters to inherit with sons, giving to a daughter half the share of a son, one would rather have expected Mr. Macnaghten to object that the Mosaic institutes made "no provision whatever" for daughters, where there was a son. One main object of those institutes was, to ensure the means of preserving genealogies, which could not have been effected without some such provisions for regulating the descent of property as those described in the 27th and 36th chapters of Numbers, and the 25th chapter of Leviticus.

There is one point on which Mr. Macnaghten admits, though not very explicitly, that the comparison between the Moohummudan and other codes is unfavourable to the former. "The only rule which bears on the face of it any appearance of hardship, is that by which the right of representation is taken away, and which declares that a son, whose father is dead, shall not inherit the estate of his grandfather together with his uncles. It certainly seems to be a harsh rule, and is at variance with [the Jewish,<sup>7</sup>] the English, the Roman, and the Hindoo laws. The Moohummudan doctors assign as a reason for denying the right of representation, that a person has not even an inchoate right to the property of his ancestor, until the death of such ancestor, and that, consequently, there can be no claim through a deceased person, in whom no right could by possibility have been vested." Certainly, *nemo est hæres viventis*; but nothing is more

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<sup>6</sup> Blackstone's Commentaries, Vol. II. p. 216.

<sup>7</sup> Ibid. p. 217.

common, among Moohummudans no less than among all other nations, than for heirs to claim "through a deceased person, (or persons,) in whom no right could by possibility have been vested." If there are grandsons whose fathers have all died in the lifetime of the grandfather, they all claim through their deceased fathers; they could have no claim except as *being the sons of such fathers*.

Mr. Macnaghten has not informed us by what reasoning "the scribes, who sit in Moohummud's chair," justify the taking of interest on money, and even suing for and obtaining it by the judgments of courts where the Moohummudan law is professed to be administered.

It is a well known principle of Moohummudan law, that interest is entirely prohibited, and that the giver, as well as the receiver, of any excess above the original debt, is held to act sinfully. In practice, this principle [precept] is not much adhered to, and some modern lawyers have gone the length of asserting, that the receipt of interest from a person not professing the Moosulmaun faith should not be accounted usurious. This, however, is practically a matter of little consequence, as our courts, I imagine, would not scruple to award interest in an action *between two Moohummudans*, where it was specifically promised, or where it was *equitably due*, notwithstanding the [unequitable] *SCRIPTURAL prohibition*.<sup>8</sup>

The most signal instance of Mr. Macnaghten's disposition to treat Moohummudanism with indulgence, is shown in the little importance he ascribes to that fruitful source of so many evils, polygamy. The latitude granted by the permission of polygamy, and the apparent facility of divorce, are not, it must be admitted, accordant with the strict principles of impartial justice; *but the evil, I believe, exists chiefly in theory, and but little inconvenience is found to follow it in practice*.<sup>9</sup> The theory is, that polygamy tends to produce domestic jealousies and discord; to *exert a corrupting influence* on both sexes, debilitating the faculties of the one, and debasing the other into mere instruments of physical pleasure; and is injurious to the weifare and education of children. If these inconveniences are but slightly recognised in practice, the theory ought to be corrected, for so much truth only can exist in any theory as is attested by practical experience. As it would be absurd to say, that the excellence of Vauban's system of attack and defence exists chiefly in theory, while but little utility is derived from it in practice, it is no less erroneous to acknowledge the theoretical and deny the practical evils of polygamy; and consistency required that Mr. Macnaghten should state his own theory of polygamy, in conformity to the effects actually resulting from it, as plainly as Abyssinian Bruce and Napoleon Bonaparte avowed their preference of polygamy to monogamy. But every christian man and woman is a witness to the vice and misery implied in polygamy. What respect for love and respect for his wife can a man retain when he resolves to associate with her a second? and when the gloss of her novelty is abated, a third? And what feelings of dignity can belong to the woman who accedes to such a com-

<sup>8</sup> P. 353.

<sup>9</sup> Prelim. Remarks, p. 23.

promise, and accepts so precarious an establishment? Either the first wife suffers a wound in her affections and in her honour, which the husband does not scruple to inflict; or custom has degraded her beneath the capacity of feeling such injuries; or she seeks revenge by clandestine retaliation; while the seclusion with which polygamous nations shroud the deformities of their system, does but aggravate the deterioration of the female character.

There is one obvious restraint on a plurality of wives,—the difficulty of maintaining them and their issue; and it is possible that Mr. Macnaghten might intend to assert, that “*but little inconvenience is found to follow it* [the permission of polygamy, and the apparent facility of divorce] *in practice*,” because, from extrinsic circumstances, and from the counteracting instincts of humanity, there are, in fact, FEW INSTANCES of polygamy and divorce. If that was his meaning, (and a passage about to be quoted, on the subject of divorce, favours such a construction,) his ambiguous brevity has exposed him to misconstruction; but, on the other hand, we cannot adopt that reading without supposing him to abandon to unqualified reprobation a main doctrine of the Koran, and to plead in behalf of Moohummudans, that they do not sin up to the “scriptural” latitude granted to them. Doubtless, certain moral diseases cannot co-exist; a man cannot at once be assailed by the temptations incident to poverty and to riches; he is not liable to “be full and deny God,” and at the same time to “be poor and steal.” If the greater part of a nation be steeped in poverty, less inconvenience will follow from privileges of which only rich voluptuaries can avail themselves.

The theory which condemns divorce at the pleasure of the husband, is not less sound and unanswerable than that which condemns polygamy; and when both are combined in the same code, the mischief is raised to its maximum, and there remains but a nominal difference between marriage and concubinage. It appears, however, that by means of stipulations respecting dower, the Moohummudan women contrive to oppose some corrective to the unbounded liberty granted to their husbands by the prophet. “Their sentence of divorce,” says Mr. Macnaghten, “is pronounced with as much facility as was repudiation among the Romans in case of espousals. There is no occasion for any particular cause; mere whim is sufficient. I have already alluded to the small inconvenience which this facility produces in practice. Where conscientious and honourable feelings are insufficient to restrain a man from putting away his wife without cause, the temporal impediments are by no means trifling. Dower is demandable on divorce, and with a view to the prevention of such a contingency, it is usual to stipulate for a larger sum than can ever be in the power of the husband to pay. . . . It is a common practice (as was before observed) to stipulate for dower to an excessive amount, and as this claim precedes that of inheritance, it might be inferred that the rights of children and other heirs are frequently defeated; but this is rarely the case. It seldom happens that a widow contracts a second marriage, and the property generally

goes to the children of the original proprietor. There are weighty considerations in favour of the practice. *Nothing seems so well calculated to preserve the peace, the property, and the character of families.*" What! No better security for the peace of families than one which may occasion the disinheritation of children and other heirs? Instead of "temporal impediments," would not insurmountable obstacles, both spiritual and temporal, be a better security? Granting that the widow does not contract a second marriage, yet she may survive the children, or retain possession of the whole property left for many years. If it be "*usual to stipulate for a larger sum than can ever be in the power of the husband to pay,*" then it must be *usual* for the widow, or widows, to take the *whole* property left; and since dower, as well as the proper *share* of the widow, is absolute property, it descends to *her* heirs, the children of the deceased husband succeeding only to the property of their *own* mother. It may thus happen that three childless widows should take three-fourths of the property out of the husband's family for ever, leaving the remaining fourth to be divided, after her death, among eight children of the fourth widow. Or, one widow may have one child, and another six. In short, the object being to support "conscientious and honourable feelings" against the arbitrary power granted by the Koran, of securing indissolubility of the conjugal union, it would not be easy to devise a more absurd and inconvenient expedient for its attainment.

Whatever amount of dower may have been settled on the wife, it is not in satisfaction of the share to which she is entitled as one of the heirs of her husband. Be the former ever so large, she has an indefeasible right of one-fourth when her husband has died childless, and of one-eighth when he has left children. According to Mr. Macnaghten, Moohummudan dower "partakes partly of the nature of a jointure, and partly of common dower, according to the law of England;"<sup>10</sup> and yet the Moohummudan provision differs from the English in three essential respects: first, the widow takes an *absolute* interest in it; secondly, it is claimable *during* the life of the husband; thirdly, it does not preclude her from coming in as one of the heirs.

By the Moohummudan law, guardians have no authority to control a girl's choice of a husband, of equal condition, after she has attained the age of puberty, so that she might contract herself in marriage before she entered her teens. But by section 2, Regulation 26, 1793, the minority of both Moohummudans and Hindoos is declared to extend to the end of the eighteenth year:

A child born six months after marriage, is considered, to all intents and purposes, the offspring of the husband; *so also a child born within two years after the death of the husband, or after divorce.* p. 61.

There is no rule of limitation to bar a claim of right, according to the Moohummudan law. p. 76.

The regulations of Government have, however, prescribed a limi-

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<sup>10</sup> Prelim. Rem. p. 26.

tation of twelve years for claims of personal property. Mr. Macnaghten expresses his opinion, but with less confidence than might be expected, that these Regulations "may, perhaps, be held to supersede the Moohummudan law in this particular"; and that it would be "harsh" to consider them applicable to claims for dower.

The following rules require no comment; and Mr. Macnaghten, in his Preliminary Remarks, has instituted no comparison between them and the rules which obtain in other codes:

There is no preference shown to a written over a nuncupative will, and they are entitled to equal weight, whether the property which is the subject of the will be real or personal. p. 53.

A claim founded on a verbal engagement, is of equal weight with a claim founded on a written engagement.

Oaths are not administered to witnesses.

In civil claims, the evidence of two men, or one man and two women, is generally requisite. Hearsay evidence is admissible to establish birth, death, marriage, cohabitation, and the appointment of a kaze; as the eye-witnesses to such transactions are frequently not forthcoming. p. 76-7.

The reader may also be left to form his own judgment on the following interesting cases, so illustrative of the effects of polygamy and other points of Moohummudan law:

*Case.*—A person dies, leaving two wives; but during his lifetime he made a gift to one of them of all his property, including his household effects, money, and jewels, in lieu of the dower stipulated for her at her nuptials. On the death of the individual above alluded to, his two wives (the one to whom he made the gift having had by him one daughter, and the other two daughters,) enter into a dispute relative to the succession to his property. Under these circumstances, is the gift of the husband valid? or in what proportions should the estate be distributed? p. 221.

*Remarks.*—It appears that the gift, in this case, was of that description of gift which is technically termed in law a *Hibba-bil Iwuz*, or gift for a consideration, and this species of gift resembles a sale both in principle and effect; but there is a doubt as to the legality of this transaction, from the circumstance of the articles opposed to each other consisting partly of money, which constitutes a *Sirf* sale. In this description of contract, seizin on the spot is essential to its validity. If seizin was made, the transaction must be held to be valid: if not, it must be declared null and void, and both the parties have a right to recede from the contract. So also the heirs and creditors are at liberty to set it aside, and resume the property parted with, on repaying the consideration for which it may have been given, until which time the property will remain as a pledge in the hands of the purchaser; but when the consideration is restored, it will become subject to the law of inheritance; and, in this event, it should be made into forty-eight parts, of which each widow is entitled to three, and each daughter to fourteen.

*Case.*—A person having two wives, executes a deed in favour of the first, transferring to her all right and title to his property, real and personal, in satisfaction of her dower. Two years afterwards, he executes another deed, in favour of his second wife, transferring to her the right and title to one moiety of the said property, in satisfaction of her dower, having obtained the written permission of his first wife to do so. In this case, will the second wife be entitled to half his estate on his decease, in virtue of her claim of dower? p. 222.



**Remarks.**—The husband, in this case, transferred to his first wife the right to his entire property, in satisfaction of her dower, previously to his assignment of a moiety of it to his second wife. This second transfer, therefore, is null and void, because the proprietary right to the thing given had passed from the husband, and had vested in his wife. This is supposing that there was no permission granted on her part. But admitting the alleged writing containing the permission to be fully authenticated, it merely states that the husband is at liberty to execute a deed assigning to his second wife half of the property, which he had before transferred to his first wife, in satisfaction of her dower; and it will not avail the second wife, because the consent of the first is wanting to give effect to the deed after its execution by her husband. This does not appear to have been obtained, and the mere written permission is not legally sufficient to entitle the second wife to take half the property.<sup>11</sup> From the evidence in this case, however, it would appear that such permission never was given.

**Case.**—The claim of the first wife, on account of dower, having been satisfied by the husband, and she having given an acquittance for the same, they mutually dissolve the marriage. The husband, notwithstanding that his son and daughter by his first wife are alive, disposes of all his property, real and personal, by gift, in lieu of dower to his second wife, without the knowledge of his children. Is such gift valid according to law? p. 225.

**Remarks.**—Under such circumstances, the first marriage being dissolved, the husband is competent to make a gift of the nature described in the question, and the gift will be complete on the second wife's taking possession, because the husband has absolute authority over his own property. *His son and daughter would inherit after his death, but not during his lifetime.*<sup>12</sup> The meaning of these last words I am far from pretending to understand.

**Case.**—Is the sum of money stated to be due to the wife in the deed of dower, (in which there was no mention made as to whether the payment should be prompt or deferred,) claimable by the wife during the lifetime of her husband? And supposing the wife to have died childless before her husband, not having made any claim of dower during her coverture, which lasted for a very considerable length of time, is her brother's son entitled, in right of inheritance, to claim it for the husband, or, after his death, from his representatives? And supposing him to have a just claim on the estate on that account, what portion of the dower should devolve on him in right of inheritance? p. 278.

**Remarks.**—The sum specified in the deed of dower (presuming it to be *quintine*) was due in the lifetime of the wife and during her coverture; that is to say, she was at liberty to claim it from her husband. If she omitted to claim it, and died childless before her husband, without having compromised or resigned her right to dower, her brother's son is legally empowered,

<sup>11</sup> "Some little degree of casuistry appears in this doctrine, although it is no doubt conformable to law. The reason assigned is, that the husband could not have disposed of the property, in any manner, unless the first wife had reconveyed it to him in the shape of a gift, or otherwise, or unless she had appointed him her agent for the purpose of transfer; in which latter case, the transfer should have been made in the name of the principal, and not in that of the agent."

<sup>12</sup> "In this case it should be remarked, that the fact of the first wife's dower having been satisfied, is expressly stated; otherwise her children would have had a lien on her husband's property to the extent of the dower due to her."

as heir, to claim it from her husband or his representatives; but half of the dower lapses to her husband in right of inheritance, and the other half belongs to the brother's son of the wife, supposing her to have left no other legal sharers or residuaries.

*Case.*—Has a wife a right to oppose the inclination and resist the authority of her husband, before she has received her dower, notwithstanding the previous interchange of conjugal habits, without objection on her part? p. 281.

*Remarks.*—If it have been stipulated that a portion of the dower is to be paid immediately, she has a right to do so, with a view to obtain that portion of her dower. So also, if no mention have been made of the immediate payment of any portion, she may do so, with a view to obtain such a portion as may be consistent with her situation in life, unless the postponement of the payment of the whole had been expressly stipulated.

M. B.

Bengal, October 1825.

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STOPPAGE OF PROMOTION IN THE INDIAN ARMY.

*To the Editor of the Oriental Herald.*

SIR,—In the Court of Directors' general letter of 1806, published to the army in 1807, officers were debarred from rank of Colonel, except by his Majesty's brevet, for two reasons therein assigned :

1st, That Lieutenant-Colonels of his Majesty's service might not be superseded; and,

2d, That Lieutenant-Colonels of his Majesty's service might not supersede each other.

In what follows, it is proposed to show that neither reason is attended with the expected advantage; or otherwise, that it is equally attainable without infringing on the orders of 1796, and usage of ten subsequent years.

1st, If the 20,000 troops of his Majesty's service in India were permanently stationed there, the officers of the higher ranks might be jealous of occasional supercession, as it would affect them for the remainder of their military career; but when it is considered that different regiments remain in India only ten or fifteen years, and experience during that period frequent changes in their field-officers, the point cannot be estimated as of much moment to his Majesty's army generally. Moreover, if an officer of the Company's service after forty-two or forty-three years' service, (which is the standing of the many whose promotion is stopped now,) should occasionally supersede a Lieutenant-Colonel of his Majesty's army, the latter might not be affected by it, as would be the case if he were serving under a different Presidency, or even at a different station, or otherwise; a reference to the Ensign's commissions of both would generally find the officer of the Company's service the older soldier, in which circumstances, the superseded party could not have real cause for complaint. If, however, the supercession of Lieutenant-Colonels of his Majesty's

service must, at all events, be guarded against, although without any security, it would be but of rare occurrence; the local rank of Colonel might be given, as that of Captain is to subalterns of fifteen years standing, to prevent supercession by those of the Company's service.

2dly, With reference to the second reason, the Company's army could never have desired restraint upon the whole to prevent the better posture of a few, when either branch had an equal chance of advancement, and each perhaps thought its prospects better than those of another. There is also more the appearance than reality of equity and justice in it, for their ends could only result from its being a uniform system from the lowest grade, which no one would advocate, and not by a chequered plan of regimental rise to majority. Line promotion to Lieutenant-Colonels, and then an indefinite stop of years to the advancement of those who would otherwise be Colonels, and aspiring in due time to be Generals by his Majesty's brevet; when their services to the state would be rewarded at the end of their career with the twofold advantage of rank and emolument as heretofore; but as circumstances now are, the officers for the highest commands will only be of the rank of Lieutenant-Colonel and Lieutenant-Colonel Commandant; and as promotion to Colonel in his Majesty's service during peace in Europe must be very slow, that to General cannot be looked forward to by the present seniors of the Company's army, who are in reference to advancement, but Lieutenant-Colonels, though nominal Lieutenant-Colonel Commandants.

The general effect of the present system may be further surmised and established from the practical result exhibited in the 'Bengal Army List,' or 'East India Register,' for September 1823; when there were three Lieutenant-Colonels Commandants, of 1781, 1782, namely:

Dewar, of infantry, Lieutenant-Colonel, of August 1811, Lieutenant-Colonel Commandant, of March 1823.

Carpenter, do. do. October 1811; do. and do. April 1823.

Caldwell, artillery, do. March 1812; do. and do. May 1820.

It will be observed, that Caldwell is only seven months junior to Dewar, and five months junior to Carpenter, as Lieutenant-Colonel; so that his becoming Colonel before them could not have been considered extraordinarily good fortune; he must, however, according to the present system, wait till they are promoted; and as a brevet embracing Lieutenant-Colonels of 1811 would probably exclude those of 1812, they may be Colonels many years before the check to his promotion be removed, without that general advantage to the service calculated upon in the second reason assigned for it by the Honourable Court; for if contemporaries of ranks respectively (above that of Major) do not pursue their relative position by it, its ostensible and only legitimate object is not obtained, nor can it be more attainable by it than by the usage before 1807, which, as being more agreeable to the army, so equally advantageous to the state, will, it is to be hoped, be ere long reverted to—re-established.

AN OFFICER.

## THE FOURTEEN GEMS.—A HINDU LEGEND.

## No. III.

## XIV.

VIEW Mahādēva urge his thund'ring steeds !  
 Lo ! the great God on wings of lightning speeds !  
 Treads on the whirlwinds ! musters on his breath  
 The hurricanoe ministers of death !  
 In one full stream Destruction wafts along !  
 Rides o'er the weak,—intimidates the strong !  
 There, Kartikeya dyes the blood-stain'd day  
 With deeper hues :—the Asuras are his prey.  
 There, Vishnu fights ; there flames with flames combine,  
 Volcanoes burst, and Agniyasters <sup>1</sup> shine.  
 Dread Yama stalks 'midst piles of slain ;  
 Black Hell luxuriates in his train.  
 Thy D'herma, <sup>2</sup> Brahma, cleaves the sky,  
 The Sivean spear and Kala <sup>3</sup> fly.  
 Hari <sup>4</sup> enraged to Heav'n ascends,  
 And thence the roaring thunder sends ;  
 Then, <sup>4</sup> Pisach-like, to Earth he darts,  
 And cheers the warriors' dauntless hearts.  
 Th' Asuras hurl huge rocks on high,  
 And mountains clatter in the sky ;  
 The Gods, awhile, disorder'd stand,  
 And cede unto th' infernal band ;  
 E'en Agni thought no more of fame,  
 But hasten'd to his native flame.  
 Siva rush'd forth, and hurl'd his god-like spear,  
 And valiant Muchu-Kunda <sup>6</sup> closed his rear.  
 Thick fall the bolts :—th' eternal Vagra <sup>2</sup> flies,  
 The Chakra <sup>2</sup> with the Gadda <sup>2</sup> fiercely vies ;  
 In vain the hostile tribes for succour call,  
 Though forms of Gods 'midst Gods contending fall.  
 Darts clash with darts, Destruction rolls her car,  
 Rage meets with rage, and suscitates the war.

## XV.

Agni again appears, and from his breath  
 Flames rush, and riot in the work of death.  
 ' From ev'ry hand he hurls a dart,  
 From ev'ry mouth dread fires depart.  
 View Suryya o'er the sweeping tempest bound !  
 And fill'd with madd'ning ire,  
 Waft in his course the furious war around !  
 View, how the Sprits of fire

<sup>1</sup> A fiery weapon.  
<sup>4</sup> Chief Mahābhārata.

<sup>2</sup> Weapons.  
<sup>5</sup> A king, who defeated the Daityas.  
 Ch. Mythology.

<sup>3</sup> Vishnu.

With nerves outstretch'd attend th' impetuous God !  
 And how the anguish'd Heav'ns before him nod !  
 How all the worlds in agony revolve !  
 How æther melts, and how the clouds dissolve !  
 See, how great Aurva <sup>7</sup> emulates his sire !  
     One of the brightest flames of light,  
     He seems in this immortal fight  
 Beyond the heav'nly train in daring to aspire.  
     There, to the o'erthrown Daitya's hearts  
     The rapid Sanharastra <sup>8</sup> darts,  
 Attracted to it hosts promiscuous lie,  
 Transfixed by it hosts promiscuous die.  
 The Mantras <sup>9</sup> fail, where Viswacarma <sup>10</sup> leads  
 His glorious troops to match his peerless deeds.  
     E'en Cerbura <sup>11</sup> bestrides the field,  
     And Sesnaga <sup>12</sup> compels the foe to yield.  
 Lo ! from the clouds the bursting Maruts <sup>13</sup> blow,  
 Appal, destroy, o'erwhelm the fainting foe.  
 The Gadda <sup>14</sup> from the glorious Vishnu flies,—  
 Once more the God his bow tremendous tries :  
 The treach'rous host in dire confusion flee,  
 Sink into earth, or dare the raging sea.  
 Perish their name !—th' immortal Pavan raise,  
 Ye Gods, unto the great Naayan's praise !

## XVI.

Breathes there the man, endow'd with fire divine,  
 Within whose soul all-fictile fancies shine ?  
 Breathes there the man, to whom his stars have giv'n  
 To chaunt your acts, ye mighty sons of Heav'n ?  
 If such there be—around thy brows shall play  
 O Pavan ! myrtles, and the living bay.  
 If such there be—O Marichi ! thy name  
 Shall ever tune the trump of deathless fame.  
 Suryya, before thy car of tenfold light  
 Tumultuous rays shall weave the pageant fight :  
 Yet mortal ne'er can tune his Vina's <sup>15</sup> string,  
 ● In vain, he seeks Mahesa's <sup>16</sup> acts to sing,  
 In vain, before Vaikontha's turrets bends !  
 No inspiration to his strain descends,  
 As flakes of snow, or as the gentle show'r,  
 Which drops its fragrance on the summer's hour.  
 In vain he seeks in bursting notes of flame  
 To sound the glory of Kumara's <sup>17</sup> name !  
 Nor Krishna's <sup>18</sup> self dares strike the wond'rous theme,  
 Or o'er those rills of hallow'd Fancy dream,

<sup>7</sup> Son of Suryya.<sup>8</sup> A bow, which attracted all things with irresistible violence ; Chief Ramayana.<sup>9</sup> Prayers, or incantations.<sup>10</sup> The divine artificer.<sup>11</sup> The three-headed dog of Hell. <sup>12</sup> The serpent Ananta. <sup>13</sup> The winds.<sup>14</sup> A weapon.<sup>15</sup> A lute,<sup>16</sup> Siva, or Mahadéva.<sup>17</sup> Kartikeya.<sup>18</sup> Vishnu, as the God of Poetry—the Krishnavatara.

Not, though from Goverd'han<sup>19</sup> he plumes his soul,  
And burst the feeble barriers of the Pole!  
Not, though enrapt he drink the mind divine,  
Dares give to mortal verse such deeds sublime!  
Lo! Shauk's loud sides convulse the trembling sky,  
Air, Earth, and Heav'n around disorder'd fly.  
Borne in its blast on flaming wings of fire,  
trolls each name in one continuous gyre.  
The blast transcends creation's farthest bound,  
Whilst heights and depths re-echoing tell the sound,  
O'er heav'ns, o'er worlds, in space sublimely tost,  
In regions 'yond the heav'ns themselves is lost.

XVII.

Meanwhile, the Gods the mighty Mandar place  
With festive glee upon its wonted base;  
In dismal shades of night with horrid gloom,  
In Tamisra,<sup>20</sup> the Daityas meet their doom,  
And wand'ring thence, 'midst scenes of awful fear,  
Slowly to And'ha-Tamisra<sup>21</sup> draw near.  
Mahá-raurauwa<sup>22</sup> next exulting boasts  
A short possession of the tortured hosts,  
Where liquid fire in scorching torrents rolls,  
And on its whirlpools turns their guilty souls.  
Emerging thence, at length, they seem to know  
A gentle respite from their mass of woe,  
And flatt'ring hope in Kaurauwa<sup>23</sup> beguiles  
Their suff'ring breasts with Hell's accustom'd wiles.  
But, ah! how short!—again, the tempest low'rs,  
Yama, again, his deathless vengeance show'rs.  
They enter now upon the awful bound  
Of dreadful Naraka's<sup>24</sup> relentless ground;  
There, serpents curl around, and eager dart  
Their pois'nous tongues within their fainting heart,  
Drink up their blood, and o'er their bodies stray,  
In jovial folds around their temples play;  
And tear each fibre from its ling'ring root,  
And through their anguish'd entrails blithely shoot.  
Again they wander, nor obtain relief,  
For Kala-surra<sup>25</sup> still augments their grief,  
And Mahà-naraka<sup>26</sup> in fiercer train  
Darts forth its venom'd snakes through ev'ry vein.  
Next, direful Sangivana<sup>27</sup> opes its gate,  
And heaps fresh anguish on their mournful fate,  
And proves, indeed, that Siva's righteous ire  
Reserves for miscreant tribes indignant Yama's fire.

<sup>19</sup> Krishna's palace, or a seat of the Muses.

<sup>20</sup> The Hells. Tamisra darkness. <sup>21</sup> Utter darkness.

<sup>22</sup> Most horrible.

<sup>23</sup> One *lepso*, which I have made the stage after the other, on the authority of two or three writers.

<sup>24</sup> The region of serpents.

<sup>25</sup> <sup>26</sup> <sup>27</sup> Different departments of Patala; the Titans are easily recognised in the Daityas.

## XVIII.

In mournful steps (meanwhile the scalding tear  
 Their grief-worn cheeks with squalid marks besmear)  
 They pass along, and march in order due,  
 Till Mahā-vichi<sup>29</sup> meets their sorrowing view :  
 Nor rest they here, for flames around them rise,  
 And dim the waning lustre of their eyes,  
 Where, Tapanā<sup>29</sup> involved in furious clouds,  
 With murmurings dire his burning furnace shrouds.  
 Scorch'd by the heat they faint, but faint in vain,  
 Hell knows no limits to the culprit's pain :  
 The imps of death the panting bellows ply,  
 Whilst Sampratapanā's<sup>30</sup> bright volumes fly,  
 Flaming, ferocious, dire :—but, as the blaze  
 With gnawing fang upon the Dūtyas preys,  
 A new-raised skin creeps o'er the redd'ning bone,  
 And makes the fury of the flame its own.  
 Big was the hour with never-ending woe,  
 When first they view'd the Amrit nectar flow !—  
 But why should I their num'rous wand'rings tell  
 In Saṅghala<sup>31</sup> ! in Sakakola's<sup>31</sup> Hell ?  
 In Kudmala<sup>31</sup> ? or cite the countless woes  
 Which Putunrittika's<sup>31</sup> foul region shows ?  
 How Loka-Sanku<sup>31</sup> pierced their ev'ry part,  
 And urg'd its pointed tops within their heart !  
 How Panthana,<sup>31</sup> Rijisha<sup>31</sup> terrors heap'd ?  
 How Salmati<sup>31</sup> opposed their ent'ring feet ?  
 How Asi-patra-vana's<sup>31</sup> horrid shade  
 Forced from each leaf a sword's envenom'd blade,  
 Whilst Lohangaraka's<sup>31</sup> fell regions rain  
 Hot iron coals upon the suff'ring train ?  
 Then D'herma<sup>32</sup> darted forth from Brahma's breast,  
 And taught the world the God's supreme behest.

## XIX.

Roll round, ye ages, and ye worlds revolve !  
 ● Be dried, ye seas ! ye heav'nly seats dissolve !—  
 The Kalki<sup>33</sup> comes :—Garuda melts in air,  
 The growling thunders lay the æther bare !  
 The Heav'ns bow down !—the Oceans cease to flow ;  
 The Mountains shake,—the Maruts cease to blow !  
 The Earth recedes,—the mighty mass of years,  
 As the light smoke, unnoticed, disappears.  
 Meru dismay'd beholds its summit nod,  
 Flees, as a vision, from th' absorbent God.  
 He comes :—the potent Vishnu cleaves the skies,  
 E'en Mahādēva from his brother flies !  
 Pale as Mitru,<sup>34</sup> terrific as the grave,  
 Whose direful aspect none in Heav'n can brave,

<sup>29</sup> <sup>30</sup> <sup>31</sup> Different departments of Patala.

<sup>31</sup> Hells.    <sup>32</sup> Justice personified.    <sup>33</sup> Vishnu, in the Kalkavatara.

<sup>34</sup> Death.

The Kalki stalks :—he bears the awful King ;  
 Mitru and Patala their trophies bring.  
 Supreme,—in might, eternally, the same,—  
 His naked scimitar hurls worlds of flame,  
 As when some comet ploughs the scorched sky,  
 And nurses Death within its blazing eye.  
 The fabric falls !—Creation knows no place !  
 The awful God rides in unending space.  
 No Earth—no Heav'ns—no Seas—no Winds remain—  
 No trace of years—no vestige of a name :  
 They fleet, they cease, and 'neath the whirlpool sleep,  
 They lie for ever in the viewless deep.—  
 In new-form'd skies<sup>35</sup> a golden æther reigns,  
 New Time, new Earth of Gold, and new-born plains :  
 THERE, souls of men without the body stray,  
 And drink the blessings of immortal day ;  
 THERE, Vishnu sits upon a blazing throne,  
 And rapt in joys surveys a world his own.

XX.

Shank ! rend thy sides ;—thine arch, Danusha, bend,  
 For soon this gold-built universe<sup>36</sup> shall end !  
 Once more, O Sun, dart forth thy genial ray,  
 Once more, luxuriate in the golden day !  
 The glitt'ring tow'rs, the flaming temples fall,  
 Ye Gods, within yourselves, your Sactis call !  
 Mahā-Pralaya<sup>37</sup> comes ! Lo ! Kali<sup>38</sup> stands,  
 A sword, a roll uplifted in his hands !  
 States, cities, worlds within his entrails creep :—  
 There, Gods and mortals take th' eternal sleep.  
 There, Vishnu with his energies divine,  
 Sinks in the vortex of destructive Time.  
 The new Creation as a phantom flies ;  
 Then on his sword the monster falls and dies.  
 But, yet, there reigns that universal soul,  
 Who bade, at first, the circling ages roll ;  
 In HIM, both Brahma and the heav'nly train  
 Unseen, for ever and for ever reign.  
 No more shall Gopya<sup>39</sup> tune the votive lyre,  
 Her tresses dancing to its notes of fire ;  
 No more shall trumpets rouse th' embattled pole ;  
 No more its angry waves Kshiroda roll ;  
 Mahesa's justice on the thunder's roar  
 With lightning's pinions shall be heard no more ;  
 No more shall Hari mount his conqu'ring car,  
 And with his foes no more wage furious war.

<sup>35</sup> This is exactly according to Hindú fable.

<sup>36</sup> After the Kalkavartara and Vishnu's golden universe, there is a final absorption of all things in the universal soul.

<sup>37</sup> The final consummation.

<sup>38</sup> Time, who, having devoured all things, slays himself with his own sword.

<sup>39</sup> Muses of India.



Unknown, unseen, in vast unbounded space,  
 Immortal Brahm,<sup>40</sup> obtains the only place;  
 Vanish'd, dissolv'd, are Earth, Air, Fire, and Sea;  
 And boundless Brahm dwells in infinity;  
 Eternally, though ages cease to roll,  
 He still shall reign ALONE—THE UNIVERSAL SOUL.

جيب المشرق

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INVENTION OF CANNON AND PRINTING.

*To the Editor of the Oriental Herald.*

SIR,

Cambridge, March 25, 1826.

GIVE me leave, in return for the information your work has afforded me on subjects with which I am too little acquainted, to offer you some account of two curious passages which attracted my attention several years since, when I was less occupied than at present by more serious engagements. The passages to which I refer have been recorded, how justly I will not determine, as classical anticipations of two modern inventions. Those inventions were nearly contemporaneous, though in every other respect separated *toto cælo*: the one being designed to bear triumphantly through the world the argument of force, the *ratio ultima regum*; the other to aid, and at length universally to extend, the force of argument. You will readily suppose that I refer to those grand productions of the fifteenth century, the Cannon and the Printing Type. I begin with the latter.

In his treatise, 'De Natura Deorum,' (ii. 37.) Cicero, exposing the philosophy of Epicurus, expressed surprise that any one should allow himself to attribute the beautiful and regular system of the world to a fortuitous concurrence of atoms, he adds the following sentence:—"Hoc qui existumat fieri potuisse, non intelligo cur non idem putet, si innumerabiles unius et viginti formæ literarum, vel aureæ, vel quales libes, aliquò conjiciantur, posse ex his in terram excussis annales Enni, ut deinceps legi possint, effici: quod nescio an ne in uno quidem versu possit tantum valere fortuna." This sentence may thus, perhaps, be literally translated, so far as the idioms of the languages will allow.

"He who can esteem this possible, I know not why he might not also think, if types, of the one-and-twenty letters, made of gold, or of any other substance, were scattered on the ground, in very great numbers, that they would immediately exhibit the annals of Ennius in a legible order, whereas I doubt whether chance could thus present even a single verse."

The Roman alphabet consisted of only twenty-one letters. Cicero appears to have assumed their separate formation, as in a type-foundry,

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<sup>40</sup> The universal sou'.

and imagined their position in a legible order, as opposed to the confusion which could alone be expected from chance. It is scarcely possible to suppress the vain regret that he proceeded no further. Otherwise, there might have been preserved to latest posterity, not only many of his own works, which have long perished, but also other famed productions of antiquity, now only known by their shattered fragments, and the honourable notice they have obtained from contemporary or later writers, whose works have happily survived.

To the other supposed classical anticipation, I was led by a passage in the learned work of Cornelius Agrippa, "*De incertitudine et vanitate omnium scientiarum et artium.*" He says, as rendered by his translator, (1684, p. 354,) "Many there are that would have it, that the gun, which is by most accounted a new invention of the Germans, was used in ancient time; and this they endeavour to prove out of Virgil." He then refers to '*Æneid*,' (vi.) where the Sibyl is describing to Æneas the torments endured in Tartarus; and she instances the King of Elis:—

Vidi et crudeles dantem Salmonea penas,  
Dum flammas Jovis, et sonitus imitatur Olympi.

This couplet, the learned and faithful, though unpoetical, translator, Trapp, has thus correctly rendered:

Salmoneus' penal torments too I saw,  
Who mimick'd thunder and the flames of Jove.

Dryden, who was too much of a poet well to endure the restraint of a translator, thus paraphrases Virgil:

Salmoneus suffering cruel pains I found,  
For emulating Jove; the rattling sound  
Of mimick thunder, and the glittering blaze  
Of pointed lightnings, and their fork rays.

Your classical readers, which, I dare say, are not a few, both in Britain and in India, may consult the lines of Virgil which follow the couplet I have quoted, and decide whether the whole passage does not give some idea of the flash and the roaring of a cannon. Agrippa attributes this opinion of the passage, among others, to a learned Italian of the fifteenth century, called sometimes Volterrano from the place of his birth, but whose name was Raphael Mapheus.

Should your courtesy prevail perhaps over your strict judgment, to admit these somewhat fanciful conjectures, as a proffer of correspondence from the banks of Cam, I will endeavour to imitate, in prose, the poet who could boast,

That not in Fancy's maze he wander'd long,  
But stoop'd to truth, and moralized his song;

and next to offer you the result of some more serious musings, while rambling beside our sedgy stream, or reclining in our learned groves, perhaps where Milton paid his early and never-forgotten vows at the sacred shrines of truth and freedom.

ACADEMICUS.

ON THE RISE, PROGRESS, AND GRADUAL DECLINE OF  
THE BOMBAY MARINE.

*To the Editor of the Oriental Herald.*

SIR,—As a cool observer of the administration of our Oriental possessions, and feeling a deep interest in every branch of its service, my attention has of late been called to the present state of the Bombay marine. No subject on which you have employed your pen can be more worthy of public notice, and I have in consequence endeavoured to offer a few observations, which, with the assistance of your extensive information, might lead to the correction of abuses that are as repugnant to the feelings of a highly respectable body of public officers, as they are injurious to the best interests of the East India Company.

It would occupy too many of your valuable pages to enter into a minute detail of particulars connected with the service, but for a rough outline, it may be sufficient to say, that the marine or military navy of the Company was instituted by the authority of a charter from King Charles, in 1668, for the protection of their trade, granting to the Company full power to raise a navy, to appoint admirals, vice-admirals, and other officers, and authorizing the exercise of martial law on board their ships of war, with power to his Majesty to revoke the same at pleasure. On this authority, the Company organized an efficient marine, on the zeal and vigilance of which, the very existence of the Bombay Government for many subsequent years depended. The gallant exploits of Captain James (whose services were rewarded by the honour of knighthood) in the destruction of several piratical fleets, as well as the capture of the strong fort of Severndroog, (with his own ship,) are themes that have not yet sunk into oblivion amongst the natives of the Concan. About this time the marine could boast of vessels mounting fifty guns, frequently acting in conjunction with his Majesty's fleets in the Indian Ocean, and considered in every respect as his Majesty's vessels. These circumstances tended to diffuse that *esprit de corps* which is so essential in all public services, and which at that time was highly conspicuous throughout the Bombay marine. Alas! how different does it stand at the present period, employing one hundred and thirty officers, with an establishment of twelve vessels, which, with one exception, (the *Hastings*,) are only from 140 to 250 tons burthen; and, in point of construction and efficiency, would be considered a disgrace to any civilized Government.

It appears inexplicable to me, why the authorities in India should retain vessels which, from their size and construction, are totally useless, in a military point of view, and still more so in the conveyance of despatches, from their well-known incapacities in sailing. Viewing it even as a financial question, the enormous sums that have

been and now are thrown away, in transporting troops on all naval expeditions, would have established a most respectable marine, capable of every purpose that might be required on their extensive coast; it would form a good school for the instruction of the younger branches, and might be supported for a trifling additional expense to that conducted on the present miserable system. So little attention was paid to this useful branch of their service, that, from the year 1817 to 1820, the Arab tribes almost annihilated our Northern trade, and the capture of vessels off the mouths of our harbours, with the sacrifice of lives and property, is too well known to require detail. It may, however, be worthy of remark, that the destruction of their power, by two naval expeditions, cost the Company upwards of one million sterling, which would have been quite unnecessary had a small portion of it been applied to the improvement of their marine force; and the late rupture on our eastern frontier has established, beyond a doubt, the inefficiency of the service, which may be corroborated by Sir Edward Paget's despatches to the Horse Guards, as well as by a communication from the Governor-General to the Bombay Government.

When we contemplate the unprecedented increase in number and respectability of the other branches of the Company's service, it is but natural to inquire into the deteriorated state of this unfortunate corps. You, Sir, having of late bestowed much attention on the Leadenhall-street administration, would be able to solve this problem; but, for your readers in general, it may be necessary to observe, that on the original organization of the Bombay marine, it was officered from their commercial service; it being, however, an establishment strictly confined to arms, and subject to martial law, the Court deemed it expedient to appoint young officers from England, and to draw a complete line of distinction between their commercial and military marine. Mutual jealousies ensued between the two corps, and from this period commenced the well-known disadvantages under which the Bombay marine has laboured up to the present period. Their respective duties frequently brought them together; on which occasions, contentions for power and precedence were by no means uncommon, and frequently to the detriment of the general service; but the overwhelming weight of shipping interest at the India House (where twenty out of twenty-four Directors had been Commanders of Indiamen) was sure to decide all matters of contention to the prejudice of their military marine. This hand of power was turned to the reduction of the establishment, by repeated orders to their local authorities in India; and the martial law, originally granted by charter, was discontinued by a special decree of the Leadenhall-street senate; but will your readers believe, that as a consummation of this long-continued system of injustice, in defiance of every consideration of respect for their characters as a legislative body, and in direct opposition to every precedent in the known world, these Indian legislators, on the 22d May 1804, passed an ordinance, that the masters of their merchant ships should take rank and precedence over the captains of that naval establishment which is maintained for the protection of their trade, although the latter are

furnished with regular commissions granted by the authority of a British Parliament? It would be contrary to the laws of nature, to suppose that any public body of officers, having their prospects in life thus blighted, their weight in society destroyed, and all the finer feelings of the officer and the man wounded, would feel much interest in the welfare of a Government whose authorities could be guilty of such glaring injustice. A letter from W. T. Money, Esq., Superintendent of Marine, dated the 17th October 1807, points out to the Bombay Government the cause of the inefficient state of the corps, which he attributes to the want of martial law, to the reduction of the size of vessels, and to the low state of their comparative rank and pensions, but, above all, to the Court's resolution of the 22d May 1804. He concludes with the following observations, that do as much credit to his head as to his heart :

“ These circumstances combined preclude the mind from aspiring to a respectable rank in society, they tend to depress every feeling of laudable ambition, and to blight, by their natural operation on the character of man, all that *esprit de corps* which it is so much to the public advantage to encourage and cherish.”

Even these details form but a small portion of the humiliating annoyances to which the officers of this corps are daily subject to. They are on no occasion trusted with that discretionary power or responsibility which has led to the most brilliant achievements of our royal navy ; on whatever part of the coasts of India, Arabia, or Persia, the services of a cruizer may be required, the commander is not merely to *consult* with the Resident for *information*, but is placed under his *orders and entire control*, whoever he may be ; a practice that is contrary to the usage of all naval services, and frequently operates to the prejudice of the public good. They are excluded from holding many of the demi-marine and civil situations in India, such as the master-attendants of Madras and Penang, marine store-keepers at the three Presidencies, and many others, which, from the peculiar nature of their duties, require nautical experience and local information. These situations are at present filled by free mariners and other adventurers, that have proceeded under the patronage of the local authorities. But to give the Court of Directors due credit, it must be observed, that this abuse is contrary to their public orders, though their want of energy in having them enforced, leads us to infer that it meets with their private countenance. The officers of the Bombay marine are prohibited from reaping any pecuniary advantage from the conveyance of the Company's specie from port to port. The Court, in reply to a memorial from Captain Smee, of 1812, (quoting his Majesty's, and all other naval services, as precedents,) were of opinion that the prayer of the memorialist was inadmissible.

In speaking of the pecuniary disadvantages of this corps, I almost fear my veracity will be questioned ; but the public records in India, and at the India House, will corroborate my assertion. Even a reference to the East India Register will tend to elucidate the matter

in question. But to commence with the midshipmen: on their first arrival in India, they receive the sum of 360 rupees, or about 36*l.* per annum. Having served in this capacity for five years, their pay is increased to 600 rupees. On a reference to the East India Register, from 1814 to 1823, it will appear that many of these officers had served in the capacity of midshipmen for a period of ten years, during the whole of which time they had actually drawn from the Company's coffers only the sum of 460*l.* sterling; or, in other words, their *ten years* of laborious servitude, in the worst of climates, and in a space of accommodation something less than four feet square, is considered by their honourable employers as equivalent to *one month's* salary of a member of council, or that of many of their higher functionaries in India. The next step of these officers is to a second lieutenancy, when they receive the sum of 912 rupees per annum, which is their whole income for a further period of five or six years, when they generally attain the rank of first lieutenant, with a salary of 116 rupees per mensem. A servitude of three or four years as first lieutenant, entitles them to the command of a vessel of 140 tons, and ninety rupees per mensem additional, which is termed allowances; in all, amounting to about 200*l.* sterling per annum. The rank of junior captain is their next step, to which few reach; and those that are so fortunate, (if it may be so considered,) generally devote from twenty to five-and-twenty of the best years in their life, when the whole of their pay and allowances in command of a junior captainship is 360 rupees per mensem. A senior captain's pay and allowances is 600 rupees per mensem, and that of commodore (of which there is but one) 2000 rupees; which salary is but seldom enjoyed with less than thirty-five years' servitude. Their retiring pension has been lately increased, but is still very inferior to the prospects of a military officer.

These details speak as to the neglected, and I may say, degraded state of the corps, which is certainly the worst paid public service under the British Government. As a justification of this neglect, it might be supposed that the corps had generally been of no utility in the furtherance of the public service, or totally negligent of the interests of their employers; but the very reverse can be established, for it will appear that on every occasion where they have been co-operating with the army or navy, there stand recorded the strongest testimonials of their zeal and ability. The high opinion entertained of the corps by the late Lord Minto, when under his personal observation on the Java expedition, is repeatedly noticed in his despatches to the Court of Directors; and in consideration of the low state of their comparative rank and pay, he increased the latter, and gave the commander of each vessel a commission of rank suitable to the station he held in society, which privilege was subsequently abolished by the Court of Directors. The high encomiums bestowed on the Bombay marine by Captains Wainwright and Collier, on the expeditions to the Persian Gulf, as well as the enthusiastic testimonials of the late Captain Lumley, on the bombardment of Mocha, and others too numerous to

mention will tend to prove the fallacy of such opinions. It is a service, not to say of utility, but absolutely of necessity, for the exigencies of a Government whose extensive territories occupy so many thousand miles of sea-coast; for which the royal navy could not, from the nature of its constitution, be well substituted, as the navy acknowledges no authority except that of a senior officer in its own service; and even the Governor-General cannot *command* the services of one of his Majesty's vessels. I understand, however, that the liberal and enlightened policy that has pervaded the administration at Bombay since 1819, has extended its cheerful influence to the marine; but the machine of improvement has still some impediments that require removal, in order to promote the public interest, and the prospects of many highly-respectable individuals.

I postpone making any further exposition of the state of this corps at present, fearing it may occupy too much of your valuable space at once; but I am collecting every information I can, which will be forwarded to you in due time; and I trust its publication may yet have the desired effect of causing an inquiry which will ultimately benefit the public service in general, and the interest of the Bombay marine in particular.

OBSERVER.

Bath.

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ECHO.

QUAINT Echo, lonely maid,  
 What temple's holy shade  
 Now holds thee, or what forest waste and wild?  
 Or dost thou mutter low  
 By some dim river's flow,  
 Or hide thee in the mountains broadly piled  
 Towards the burning firmament,  
 High o'er their barren heads in arch aerial bent?  
 How did my heart rejoice  
 When first I heard thy voice,  
 As, skipping o'er the scented floor of spring,  
 With glistening eager eye  
 The golden butterfly  
 I chased through meadows quaint with many a ring  
 Made by the light, green-sandal'd fays  
 What time Endymion's love sheds cold her midnight rays.  
 Then thou wouldst give me back,  
 From some shade-haunted track,  
 My laugh of triumph o'er my mealy prize  
 Caged in my hollow hand;  
 Or, if I took my stand  
 Beneath some thick-roofed oak of giant size,  
 And mocked the smoke-blue cuckoo's note,  
 I heard thy answer loud along the valleys float.

Or, if at twilight pale  
 I crossed the solemn aisle,  
 My hurried footsteps thou wouldst number true :  
 But now, what does thy shell,  
 My words repeating, tell ?  
 I rarely court thee on the morning dew,  
 As once I used ; and the loud town \*  
 Does all thy babbling sounds and muttering murmurs drown.  
 Yet does my startled ear  
 Thy busy response hear  
 Following the war-horse' prancing hoofs along,  
 While round this city vast,  
 By shrill, ear-piercing blast  
 Of trump or clarion ushered, thick they throng,  
 As 'twere some tyrant's fortress wide  
 Built to secure his throne upheld by force and pride.  
 All men converse with thee,  
 The bond, the slave, the free,  
 And every one thou answerest in his tongue ;  
 Like nature's voice thou art,  
 Low whispering to the heart  
 Approval sweeter than the Syrens' song,  
 Whether his creed the ape doth deify,  
 Or lift the pious glance to starry hosts on high.  
 How changeful is thy tone,  
 Repeating sorrow's groan,  
 Or mirth's loud laughter, or the shout of war !  
 Or simple pastoral song  
 Floating the vales among,  
 Or Grief's wild wailings round the funeral car :  
 All men are welcome to thy hollow cell,  
 And every passion's note is native to thy shell !  
 Blithe Echo ! thou and I  
 Commune not frequently  
 Since manhood has been seated on my brow ;  
 Thoughts, frowns, and smiles reach not  
 Thy muttering, noisy grot ;  
 And wishes, hopes, and fears thou dost not know.  
 Go, answer to the young and wild, and be  
 The echo of delight, and mirthful gaiety !

Brow.

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HOPE.

HOPE ! thy smile so bright and fair,  
 To wretched man can half atone  
 For every ill, and every care,  
 And all the misery he has known.  
 For though the past be dark with sorrow,  
 Though *present* ills the soul molest,  
 If *thou* art beaming—then the morrow  
 Looks bright—and he again is blest !

L. L. L.



## JAPANESE ANTIQUITIES.

WE have before expressed our surprise that no attempt has been made to show the affinities subsisting between the architectural monuments of Egypt and Japan; Sir T. Raffles, in his work on the latter country, has furnished ample materials for the reciprocal survey. First, with regard to the forms of the Japanese temples: the greater part of them are pyramids, some graduated, and some otherwise, having a quadrangular basement, with a door approached by steps, and frequently representing the mouth of a Gorgon visage. Could we conceive the Arabic tradition, cited by Ebu Alholken, to be true, that there was as much of the structure of the Egyptian pyramids beneath the four triangular faces as above; that the lower part was divided into apartments, and that the entrances were subterranean, we must suppose those pyramids to agree with the Japanese model. Many of the temples of Japan are built as the Egyptian temples were, in the form of a cross. The temple of Borobobo is pyramidal, having seven stages of ascent cut out of a conical hill, and crowned by a dome, which is surrounded by a triple circle of towers. This, according to antiquarians, was the model of the tower of Babel, and of all the seven-zoned temples of the Chaldeans dedicated to the seven planets. It is also similar to such descriptions as we have of the great Mexican temple dedicated to the sun and moon. The base of this Japanese pyramid comprises nearly the same number of square feet as the great pyramid of Giza, and, like the latter, the interior passages and chambers are hewn out of the solid rock. The temple of Suker more closely approaches the Egyptian model; it is like all the temples of Egypt, a truncated pyramid. Its entrances are like those of the same structures, with the exception of a Gorgon head over the door-way instead of a winged globe. It has obelisks before it precisely in the Egyptian fashion, and sculptures similarly exhibited on the exterior wall. The temple stands on three ranges of terraces, and the approach to it is, after the Egyptian model, through three pyramidal gate-ways. In front of the door-ways stand colossal statues, two and two, as at Luxore and before other Egyptian temples; in this instance, they form an avenue to the number of eight, like the Egyptian sphynxes; one of them at Suku measures nine feet and a half across the shoulders. The sculptures on the external wall consist of small figures, adorned with wings after the peculiar stiff manner of early Egyptian sculpture. Over one male figure is a bird on the wing, after the Egyptian fashion; it is either an eagle or a hawk; there is a dove on a palm tree, both sacred symbols in Egypt; a colossal eagle with a serpent in its claws in three folds, and instead of the sacred beetle, the sacred tortoise is multiplied on all sides. The male figures were probably ancient Japanese divinities; one of them grasps the trident of Neptune; another, probably the Japanese Vulcan, is furnished with a forceps and a hammer; and a third brandishes

a wand resembling the Caduceus of Mercury. On the floor, under the outward lintel of the porch, are a male and female Lingam; and at a little distance, a conical phallus, with an inscription in Japanese hieroglyphics, among which the present astronomical emblems of the sun and moon are observed. No one knows to what the inscription refers, nor the history of the sculptured personages to whom we have adverted.

Entering the temple, we still find ourselves within the precincts of a place of worship, bearing the same family likeness to those of Egypt. Within, enthroned, stands the Japanese Isis, called Bhavani by the Hindoos. Like Diana, she is adorned with a crescent, and armed with an arrow, an axe, and a cord. Sometimes the wheel, equally familiar to Egyptian superstition, is in one of her hands, and sometimes a torch or a ring; sometimes she appears seated on a figure of Apis—a human being with a bull's head; sometimes she is tripetral, in the character of the Hecate Triplex of the classics, and standing significantly between a water jug and a burning altar, with a torch in one hand and a *rosary* in the other. Finally, like the Egyptian Isis, she is depicted sitting on a lotus flower; her shrine is approached by a ladder of seven steps, and she is surrounded, like the woman in the Revelations, "clothed with the sun," with the solar disk. On all sides appear hieroglyphics similar to the Egyptian, mingled with others resembling the early Chinese, *i. e.* such as is seen on the antient coins of China.

Among the Japanese sculptures exhibited by Sir T. Raffles, there is the precise figure of the antient harpy, such as it appears on one of the zodiacs of Egypt preserved in Kircher's 'Prodromus,' a bird with a female head and bosom. A great number of the Japanese hieroglyphics, copied from cories and sculptures, and preserved in Sir T. Raffles' work, are strictly Egyptian. Among them are the square, the semi-circle, and the circle; the knot, the triple twisted cord, the orb and serpent, the goose, the vase, the syphon, the trident, the sacred ox thigh, the mason's square, the hand-barrow, and the waved line, emblematic of water. Round the edge of a cup or bowl, as exhibited in the same work, appear twelve zodiacal figures, resembling those at Esne in Egypt in rudeness of sculpture, but agreeing generally with the zodiacal signs familiar to Greece and Rome. Gemini is represented by a lyre; Aquarius by a winged vase; Capricornus by a shapeless sea monster, &c. All the preceding circumstances prove an indubitable analogy of customs and creed, not to say national connection: and, to conclude, it appears, on the testimony of Sir T. Raffles, that a common opinion is entertained by the best instructed of the priestly order in Japan, that the builders of the above-described fabrics, whose religion has now passed away, came with the earliest inhabitants of the country from the shores of the Red Sea.

SIR JOHN PHILIPPART'S EAST INDIA MILITARY  
CALENDAR.

THE powerful claims of Sir John Philppart on the gratitude of all military men, and more especially of our Indian army, whose gallant deeds he has succeeded in rescuing from the almost total oblivion and neglect to which in this country they have been hitherto condemned, are now so universally known, and we believe so justly appreciated, that it becomes almost superfluous again to offer to his unwearied zeal and perseverance that sincere tribute of applause, which no one who is acquainted with the extent and character of his labours can possibly withhold. Under these circumstances, and having already more than once<sup>1</sup> spoken of the 'East India Military Calendar' in those terms of commendation to which we feel that its plan and merits entitle it, we shall content ourselves on the present occasion with a brief notice of a few (few indeed, in comparison with the vast number of services recorded) of the most interesting topics which form the subject of the third volume of that excellent compilation, which we some time since announced it to be the Editor's intention to add to those previously made public. We trust, moreover, that he will not stop here, but that those who are in possession of materials, (of which we are convinced that an ample store remains behind,) for the farther extension of the work, will be induced to communicate them; and we have no doubt that he will be happy to avail himself of whatever authentic information he may still receive from the surviving friends or comrades of those heroes of the past as well as of the present generation, whose deeds, as yet unrecorded, may merit preservation in this great repository of military fame.

The most striking feature which distinguishes the present volume from those which preceded it, is the introduction of the services of officers who have reached no higher grade than that of Captain, none being commemorated in the earlier portions of the work who had not attained the rank of field-officers. This change in the original plan, we hail as a decided improvement, inasmuch, as in India, more particularly in the earlier times of our dominion, and even in some degree up to the present period, services of the highest importance have been frequently committed to the charge of subaltern officers, and the military talent evinced by them on many trying occasions has been such as might have put to shame officers of far more experience, or at least of greater length of service, and superior honours. Now, as many of these have fallen honourably in the field, many have from various causes been compelled to quit the service, and many are still awaiting that higher degree of advancement to which their services have entitled them to look forward, it is surely hard that they should be deprived of their due meed of glory by the mere circumstance of their

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<sup>1</sup> Vide Oriental Herald, Vol. IV. 53, and Vol. V. 45.

inferior regimental rank. It is for these reasons that, in the following observations, we shall refer principally to the memoirs of officers of this deserving class.

Among the first of these whose services are recorded in the volume before us, is Captain James Franklin, a brother of the enterprising traveller who is now exploring the frozen wilds of America, in the vain expectation of meeting the Arctic naval expedition under Captain Parry, or of descrying at least some traces of its course. The memoir of this gentleman affords a remarkable instance of the successful combination of activity, energy and talent; and may fairly be proposed as an example worthy of emulation to the youthful cadet, who would render his after-life useful to society, as well as honourable to himself. Uniting to his military skill considerable talent as an engineer, and an extensive command of Oriental languages, he speedily became distinguished among his comrades, and was very soon after the receipt of his commission called upon to act in the capacity of Field-secretary and Persian Interpreter, and afterward to fill the office of Quartermaster-General, on several important occasions. In 1812, when he had been only six years in India, he was appointed to carry into effect a survey of the province of Bundelkhund, a large portion of which had just been subjugated by the Company's troops; which service he executed in a manner so complete and satisfactory, as to call forth the warm approbation of Colonel Lambton, who proposed, had he lived to extend his line in that direction, to have connected his own series of triangles with those measured by Captain Franklin. A sketch of some portion of his labours in this extensive field has lately been given in the second part of the '*Transactions of the Royal Asiatic Society*,' under the title of a '*Memoir on Bundelkhund*.' A striking proof of the activity and native energy of his mind may be deduced from the circumstance of his having, during a short stay at Singapore, whither he went for the benefit of his health, made a survey of the whole island, together with the old and new straits, and prepared a series of points to serve as a basis for a large chart of that excellent and highly valuable harbour. In 1822, he was appointed to conduct another survey of the extent of no less than 60,000 square miles, but was compelled, by continued ill health, to obtain leave of absence, and return to England.

As we cannot hope to give an outline of any considerable portion of the memoirs contained in this work, we must, however unwillingly, pass over the services of many, very many, meritorious officers with a bare mention. Thus we can only direct the attention of the reader to those of Captain Thomas Grant, who, after serving for some years in the royal navy, obtained a cadetship in the Company's service, and bore a part, and frequently a very prominent one, in almost all the great military events in India, from the taking of Seringapatam, down to the year 1810, when he returned to England, and applied himself to the improvement of the coasts of Devonshire, where, principally through his representations, a number of light-houses have been constructed, which have been placed under his management. In a note

on this memoir, the Editor has given, from the journal of an officer, a curious and in many particulars novel detail of the circumstances attending the death of Tippoo.

The services of Captain Thomas Blair, who distinguished himself greatly in the operations against Rajah Cheyt Singh, during the government of Warren Hastings, of Captain James Crawford, and of many other officers of the same rank, are also well worthy of perusal. But we cannot pass over with so slight a notice the Memoir of the late Captain Daniel Carpenter. This gallant officer was early appointed to the command of the second battalion of Bombay Native Infantry, which he held, without any additional advancement, up to the period of his quitting India. After performing and assisting in a variety of services of distinguished merit, he was, early in the year 1783, deputed to raise and command a small party, with the view of clearing the province of Carwar of the enemy, and covering the garrison of Onore, the subsequent gallant defence of which by Captain Torriano occupies so prominent a station in the military history of India. In this arduous service, Captain Carpenter acquitted himself in the most exemplary manner, and succeeded, in the short space of a few months, in taking from the enemy several formidable ports, and in dispersing their troops wherever they could be found collected in any considerable bodies, so as to free the province almost entirely from their annoyance. Among the occurrences of this campaign, the subjugation of the strong fort of Sadashughur deserves particular notice, as furnishing a conspicuous instance of the skill and intrepidity of this deserving officer, and of the cool and determined bravery of the little band by whom he was supported. This fortress was afterwards selected by him as the head-quarters of his corps, and the basis of his future operations, which greatly contributed to bring about the pacification of 1784; after which, he ceased to be actively employed.

But we must proceed to notice a few of the numerous points connected with the biography of officers of higher rank, which are particularly deserving of observation. Among these, the Memoirs of Lieutenant-Colonel Miles, Lieutenant-Colonel Blackburne, Major G. M. Steuart, Lieutenant-General Reynolds, Major Morison, Major Lloyd, Lieutenant-Colonel Cowper, Major Roughsedge, Lieutenant-General Marshall, Lieutenant-Colonel Hudleston, Colonel Frederick, Colonel Mackenzie, Major Waters, Major-General Sir T. Munro, Lieutenant-Colonel Newton, and Colonel Little, occupy the most distinguished station. The details which are given with regard to the proceedings of Captain Blackburne, who, for the long space of two-and-twenty years, discharged the important functions of Resident at Tanjore, and especially of his exertions to detect and punish the peculations and oppressions of the entire body of revenue-collectors in that province, are full of the highest interest. The letters, too, which were written by Lord W. Bentinck on the latter occasion, exhibit the character of that nobleman in a very favourable light, and justify the regret which the Editor, in common with all reflecting men, expresses at seeing a man of his distinguished talents thrust aside at this critical

junction, to make room for one whose acknowledged incompetence is only equalled by the perverse obstinacy which still maintains him in his office. In the Memoir of Major Steuart, there occurs a brief, but interesting sketch of one of the most melancholy occurrences in the history of British India,—the mutiny at Vellore; and in that of Major Morison, are given the details of one of the four unsuccessful assaults made upon Bhurtpoor by the army under the command of Lord Lake, to whose Memoir the Editor refers us for a fuller account of this disastrous affair. On reference, however, to this Memoir, (which, with Sketches of the Indian Military History of the Marquis Cornwallis, the Duke of Wellington, and the Marquis of Hastings, adds considerably to the value of the present volume,) we were not a little disappointed at seeing an event of such paramount importance to the character of the British arms, and of such peculiar interest at the present moment, passed over with as slight a notice as any of the minor operations of the campaign.

The services of the late Colonel Mackenzie can never be mentioned without exciting the strongest feelings of respect and admiration for the powerful mind and active energy which succeeded, in spite of so many obstacles, in executing and amassing a collection of Maps and Memoirs on the Geography, Statistics, and History of India, of almost incredible extent. We cannot afford the requisite space for entering into the biography of this excellent officer, the details of whose life and labours are principally derived from a letter written by himself to Sir Alexander Johnstone. The following passage, however, from a letter of the Court of Directors of the Honourable Company, on the subject of his large Map of India, is too characteristic of that body to be omitted: "We shall wish the many materials furnished by Lieutenant-Colonel M. to be used by our Government, and a set of his 'Memoirs' ought, with that view, to be lodged in some of the public departments, particularly that of the Revenue Board, together with the sections of his Map, which he purposes to form into an Atlas. But, desirous as we are that the public at large should have the gratification, and himself the credit, which would result from a general knowledge of his work, we entertain considerable doubts of the propriety of publishing it at this time, and would wish no measure to that end to be taken without our further consideration and authority; therefore no copy of his Map, or of the division of it, further than for the public offices just mentioned, ought to be permitted to be taken." If we contrast this paltry jealousy with the liberal feeling evinced by the British Government with respect to the great Ordnance Map of England, which has now been for some years in process of publication, we shall obtain a tolerably clear idea of the difference between an Indian and a European administration, and of the advantage which would result to India from being governed by the straight-forward and fearless policy of the latter, rather than by the mean-spirited and unmeaning terrors of the former.

## THE SONG OF THE TROUBADOUR.

A LANCE—a steed—a lady's love,  
 A harp to sing her charms,  
 I ask no more from Heaven above  
 Than these, and fame in arms;  
 With these, around the busy world,  
 A Troubadour may roam,  
 And where a banner is unfurl'd  
 He there will find a home.

Fearless and free, and true to her  
 Who still inspires his lay,  
 When night winds scarce the banners stir,  
 As in the battle fray,  
 The Troubadour, with harp and spear,  
 In court and field shall prove  
 His fair—the brightest of the fair—  
 The minstrel warrior's love.

The Troubadour is frank and gay  
 In camp, or lady's bower,—  
 Alike to him the battle day,  
 The feast, or donjon tower;  
 And bright to him are summer skies,  
 And bright the waterfall  
 That sparkles like his lady's eyes,—  
 But brighter she than all.

When warriors storm the fiery breach,  
 He's foremost heart and hand;  
 When galleys graze the hostile beach,  
 He's first upon the strand;  
 And still, when pauses war's red tide,  
 His bold harp rings to give  
 Renown to those who bravely died,  
 To those who bravely live.

The Troubadour with trusty glaive,  
 With harp and heart as true,  
 Deck'd with the scarf his lady gave  
 When last they wept adieu,  
 All danger scorns—all peril dares—  
 To celebrate her name,  
 And still, amidst the crash of spears,  
 Cries—On for love and fame!

BERNARD WYCLIFFE.

PASSAGE FROM SIR WALTER RALEIGH, ON THE  
INDIAN FIG-TREE.

SIR,

May 5, 1826.

I SHALL perhaps gratify some of your readers, if, amidst the increasingly important interests which claim your attention, I can have your permission to point out a curious passage in natural history, which was probably in Milton's recollection when he dictated the lines which you have quoted from 'Paradise Lost,' (ix. 1100,) in your last Number, p. 324.

I have now before me 'The Historie of the World, by Sir Walter Raleigh, Knight,' in the author's own edition, published in 1614, while enduring his long and *wrongous* imprisonment in the Tower. Thus, as the poet of the 'Seasons' has described him, among Britannia's "sons of glory":

Nor sunk his vigour, when a coward reign  
The warrior fetter'd, and at last resigned  
To glut the vengeance of a vanquish'd foe.  
Then, active still and unestrain'd, his mind  
Explored the vast extent of ages past,  
And with his prison-hours enrich'd the world.

Raleigh having related the opinion of "Goropius Becanus, an Antwerpian," and of still earlier writers, (ch. iv. § 2, p. 57,) "that the tree of knowledge was *ficus indica* (the Indian fig-tree)," thus proceeds:

This tree beareth\* a fruit of the bigness of a great peaze [pea], or, as Plinie (l. ii. c. 5,) reporteth, somewhat bigger; and that it is a tree, *se semper serens*, (alwaies planting itself;) that it spreadeth itself so farre abroad, as that a troope of horsemen may hide themselves under it. Strabo (l. i. c. 2,) saith, that it hath branches bending downewards, and leaves no less than a shield. Aristobulus affirmeth, that fiftie horsemen may shadow themselves under one of these trees. Onesicritus rayseth this number to foure hundred. This tree (saith Theophrastus) exceedeth all other in bignesse, which also Plinie and Onesicritus confirme: to the trunk of which tree these authors give such a magnitude, as I shame to repeate. But it may bee they all speake by an ill-understood report.

This Indian fig-tree is not so rare a plant as Becanus conceiveth, who, because he found it no where else, would needs draw the garden of Paradise to the tree, and set it by the river Acesines. But many parts of the world have them, and I myselfe have seen twentie thousand of them in one valley, not farre from Paria in America. They grow in moist grounds, and in this manner: after they are first shot up some twentie or thirtie foot in length, (some more, some lesse, according to the soile,) they spread a very large top, having no bough, nor twigge in the trunk or steinke; for from the utmost end of the head branches there issueth out a gummy juyce, which hangeth downward like a cord or sinew, and within a few moneths reacheth the ground; which it no sooner toucheth, but it taketh roote, and then, being filled both from the top boughes, and from his owne proper roote, this cord maketh itselfe a tree exceeding hastily. †



From the utmost boughes of these young trees there fall againe the like cords, which in one yeare and lesse (in that world of a perpetual spring) become also trees of the bignesse of the neather part of a lance, and as straight as art or nature can make any thing, casting such a shade, and making such a kind of grove, as no other tree in the world can doe. Now, one of these trees considered with all his young ones, may indeed shrowd foure hundred or foure thousand horsemen, if they please; for they cover whole vallies of ground where these trees grow near the sea-banke, as they doe by thousands in the inner parts of Trinidado. The cordes which fall downe over the bankes into the sea, shooting alway downward to find roote under water, are in those seas of the Indies where oysters breed, intangled in their beds, so as by pulling up one of these cordes out of the sea, I have seene five hundred oysters hanging in a heape thereon; whereof the report came, that oysters grew on trees in India. But that they beare any such huge leaves, or any such delicate fruit, I could never finde, and yet I have travelled a dozen miles together under them.

Raleigh had not discovered "such huge leaves" as would justify the description of *Strabo*, that the *figus indica* had "leaves no less than a shield." Yet he quotes *Plinie* for "their largenesse," which that author (*Nat. Hist.* l. xii. 5.) "avoweth in these words: *Latitudo foliorum peltæ effigiem Amazoniæ habet*; (the breadth of the leaves bath the shape of an Amazonian shield;) which also *Theophrastus* confirmeth." It was, no doubt, on such authorities that Milton added to the lines you have quoted, (p. 324)—

————— those leaves  
They gather'd, broad as Amazonian targe.

'The Historie of the World,' enriched with the classic learning, and the variety of information which the reminiscences of Raleigh would readily supply, and published under circumstances so interesting, could not fail to become an early favourite companion of Milton, who had devoted himself to intellectual pursuits before the end of the "coward reign." Nor is the supposition extravagant, that when—

————— fallen on evil days  
In darkness, and with dangers compass round;  
And for the book of knowledge fair  
Presented with a universal blank  
Of Nature's works—

He would recollect, with pensive pleasure, his youthful lucubrations, the *otia liberrima* of more favoured days, and thence describe the tree "to Indians known," which—

In *Malubar*, or *Deccan* spreads her arms,  
Branching so broad and long, that in the ground  
The bended twigs take root, and daughters grow  
About the mother tree.

I have now brought together two names which hold no inconsiderable station among

The genuine kings and nobles of our race,  
or "the aristocracy appointed by God and nature." Thus the late Dr. Knox, in the 'Spirit of Despotism,' describes those of whom

Lord Bolingbroke says, "that the author of nature has thought fit to mingle, from time to time among the societies of men, a few, and but a few, of those on whom he is graciously pleased to bestow a larger portion of the ætherial spirit than is given, in the ordinary course of his providence, to the sons of men." Those "few, distinguished by nature so essentially from the herd of mankind," his Lordship proceeds to contrast with "the *vulgar*, who are accidentally distinguished by the titles of king and subject, of lord and vassal, of nobleman and peasant."

Raleigh and Milton are scarcely to be regarded as contemporaries, but rather as connecting "the glories of the maiden reign" with the brighter glories of that age, when liberty was no longer received with servile homage as the concession of a prince, but boldly claimed, and bravely vindicated, as the right of a people. Nor should it ever be forgotten, by prince or people, how the royal impugner of that right was visited with just, however irregularly adjudged, punishment; and thus the day of "the martyrdom of the blessed King Charles the First," which Lords and Commons appear of late years to have wisely agreed to regard as obsolete, became, as it was once described by a Peer in Parliament, "a proud day for England."

PLEBEIUS.

#### EARLY LETTER ON CHRISTIANITY IN INDIA.

*To the Editor of the Oriental Herald.*

SIR,

April 15, 1826.

IN your second volume, (p. 253,) I gave some account of the manner in which Robert Boyle was disposed to execute the office of an East India Director. He appeared indeed especially anxious that some moral and intellectual advantages might be communicated to India by England, as the best return for the pecuniary wealth which she, even then, derived from that country, before English merchants became paramount princes, enriched by the methodized plunder of vassal-kings.

I met, lately, with a MS. on this subject, of the same date as Mr. Boyle's exertions. The MS., of which I was favoured with the annexed copy, is among the valuable collections of Mr. Upcot. It came into his possession with a number of curious Papers, which are supposed to have once belonged to Henry Earl of Clarendon. The appearance of the writing and the paper accords with the date; and as there is no signature or address, the MS. is probably an early copy of the original letter from India.

"Mr. Thomas Hyde," was Dr. Hyde, Librarian of the *Bodleian*, and Arabic Professor at Oxford, where he published, in 1700, that profoundly learned volume, his *Historia religionis veterum Persarum, eorumque Magorum*. His "printed preface" appeared in

1677, prefixed to the work published at Mr. Boyle's expense, as mentioned in your second volume, to which I have already referred.

The subject which occupies this letter was pursued through the remainder of the 17th century, and in the early part of the last. I may probably take an early opportunity of sending you an account of much which was then laudably designed, though very little appears to have been accomplished.

ADJUTOR.

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I have read the letter and desire of Mr. Tho. Hyde to you from the publicke library in Oxon: and the printed preface to the Gospells and Acts of the Apostles in the Malayan tongue; and as to his desires of helps from us upon this coast for the Malayan tongue, we are wholly ignorant of it, that being spoken wholly in the South Seas, as at Atchien, Malacca, and Bantam, &c.; but in these parts few understand it; the native language of this coast is Gentue and Mallabar, in which he also desires assistance, but 'tis very difficult to be had, here being very few English that can speake the languages, and I know of none that have vocabularies of them any thing perfect for such a designe as he is upon.

The gentleman's expectation from our chaplains, for the promoting of these pious designs for the propagating of the Gospell, is very rationall, but I have lived above twenty years in India, and have known a great many chaplains, but never any one that set himself to learn the languages of the country, or humour the people a litle to gain them, but are generally so well pleased with their own school-learning and manners, that they undervalue all others, which is not according to St. Paul's rule, nor has it proved soe, for I never knew any one converted to Christianity by any of our chaplains. They are extreemly out in their methods, and I despair of ever converting them to understand their owne errors, unless they were bred up in these countrys from children, by which they might more perfectly come to the knowledge of the manners, customes, and humours of the Natives.

Mr. Portman, that was wonderfull hot upon conversion of the Indies, before he came out of England, and for a litle time here, is now onely so far convinced as to think 'tis not to be expected in his days. But the truth of it is, there is one or two main obstacles that have been the hindrance of the English haveing prosclites in India, besides those before mentioned, and that is, they have had noe church or place for publicke worship, but only in the factory houses, which are always shutt and the doors lockt when we have prayers upon Sundays, or week days, soe that we have as it were seemed ashamed of our own religion. Another hindrance has been the confusions amongst ourselves. Sometimes we have had Conformists, and sometimes Nonconformists, Governours and Chaplains; and by that means no good order has been kept, but greater liberty has been taken than ought to have been admitted; and these differences amongst ourselves have given advantage to the Romish churches to draw many away that have been bred up by the English, and the English themselves have given way to it rather then yield to one another; and the Romanists doe soe far humour the Natives, that there appears but little difference between the Pagan worship and theirs; and many Indians keep part of their own and part of the Roman religion, goeing pilgrimages, and makeing offerings to idolls in both temples.

These have been the great impediments; but I hope some of them are now in a good way of cure, for, as I wrott you last year, we are building a

fair church, of our own voluntary contributions, which is near half finished, tho' the Company have never given any order about it, nor a penny toward building it, and 'tis hoped we shall have noe more Nonconformists Chaplains to reside here, tho' they come out in the ships; but if there be a Nonconformist Governour, he will have what Chaplain he pleases, so that I know no remedy. Esquire Boyle, that is one of our Court of Committee, may better understand it, that if he knew the evill of such clashing in a forraigne heathen country, where the greatest pains that can be used can never make the Natives understand the difference between a Conformist and Nonconformist to be any other than a servant and lover of the King and lawes, and a rebell of Cromwell's party. But now, in matter of religion or conscience, as some call it, instead of our learning the Indian languages, we are now about teaching the Indians English, the Company haveing sent out a schoolmaster, (bred up in Scotland,) at 50*l.* per annum, to teach English to as many as will learne it, but the man is not soe stiff that [Presbyterian] way, as some thought, for he conformes very punctually in every thing.

Fort St. George,  
December 9th, 1678.

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ISLAND OF SINGAPORE—ADMIRABLE EFFECTS OF  
FREE TRADE.

WE have great satisfaction in observing that this valuable settlement has lately attracted the attention of Parliament; as the extraordinary prosperity of one emporium of free trade may at last open the eyes of the country to the vast advantage we should derive from an unrestricted intercourse with the East. The Marquis of Lansdown stated, that Singapore having, in 1822, been made a free port, in 1824 the money employed in its trade had increased from 8,568,000 dollars to 15,773,000, or nearly doubled. It had produced infinite good by its influence on the vast empires around it, particularly China, and by exciting in them a commercial spirit, promised great and permanent advantage to this country. But if the East India Company were permitted for the sake of a partial monopoly and temporary profit, to lay any impost on this port, in order to raise a miserable revenue to that body, great and permanent advantages would be lost to this country. That the Government might form a true estimate of the importance of saving that settlement from the withering grasp of monopoly, his Lordship moved for returns of the exports and imports of the island since it came into our possession. These returns were ordered accordingly, and will be of great importance as illustrating, by the most authentic documents, the admirable effects of free trade, and of that liberal system so happily established by Sir Stamford Raffles, the enlightened founder of that settlement. We subjoin from the '*Singapore Chronicle*,' the most ably conducted publication of the kind to be found in Asia, the following interesting particulars regarding it:—

"The whole population of Singapore, according to a census con-

cluded on the 30th of December 1824, amounted to 12,219, according to the following statement :—

	Males.	Females.	Total.
Europeans . . . . .	60	24	84
Native Christians . . . . .	89	43	132
Armenians . . . . .	8	1	9
Arabs . . . . .	10	—	10
Natives of the Deccan . . . . .	687	3	690
Natives of Hindoostan . . . . .	126	30	226
Malays . . . . .	2791	2839	5130
Bugis . . . . .	1190	514	1704
Javanese . . . . .	28	10	38
Chinese . . . . .	3561	267	3828
	8620	3231	11,851

When to this number is added the military and their followers, 368 persons, we have the whole population already given. If we add to it a floating population of 2504 throughout the year, as in the census for 1823, then we have a total population of 14,719, being an increase of 1140 within the year, chiefly from emigration. In this period the European settlers have increased by 10; the Native Christians by 58; the Duckaness, principally natives of the Coromandel coast, by 300; the Malays and Javanese by 1366; and the Chinese by 511. The Bugis population, on the other hand, has suffered a decrease of 147, in consequence of the departure of one chief and his followers to the Dutch settlement of Rhio, at the pressing invitation of the Netherland authorities. The natives of Bengal have also decreased in numbers to the amount of 140, and so have the military and their followers to the number of 28. The population now enumerated, is distributed as follows: The central part of the settlement, containing the dwellings of the European residents, contains 668 inhabitants only. The portion lying to the south-west side contains 4296 inhabitants, of whom no less than 2619 are Chinese. The Native town contains a population of 3063, of whom 2332 are natives of the Indian islands. The establishment formed within the last two years, in the new harbour or straits formed between Singapore and the cluster of islets to the westward of it, contains 1609 inhabitants, of whom 1583 are Malays. A population of 2215 is scattered over the interior of the island, in gardens and plantations, to the depth of three and even four miles from the sea-side.

“The most singular feature of the population now enumerated is the great disproportion of the sexes. In no class do the number of women equal that of the men. In the Bugis, for example, they are not one half; and in the Chinese, the most effective part of the Native population, they are only as one to thirteen. From the small number of women and children entering into the population of Singapore, and the necessarily large proportion of male adults, it follows, as a matter of course, that it is greatly more efficient than its numerical amount would seem to indicate, and that it is in truth virtually equal to an ordinary population, not of 11,851, but, reckoning upon an equality of the sexes, of double the male population, or 17,240; or, including

the floating population, 19,340. The efficiency of this population would be still more highly rated, if the unusual proportion of Chinese to the rest of the inhabitants were considered; the labour, industry, and capacity of every Chinese is, at least, equal to that of any other two Asiatic inhabitants, as we have elsewhere demonstrated. The Chinese of Singapore constitute about one-third part of the whole population, whereas, even in Penang, where they are proportionally more numerous than in any other European establishment, it scarcely constitutes one-sixth part of the inhabitants, and in Java certainly not the hundredth.

"A small quantity of a wood, believed to be dyers old fustic, has this season been imported from Siam, and, on being tried with the muriate of tin, is found to produce a bright yellow, not thrown down by acids. The wood which we have seen is in large billets, and has been long known to the Siamese and Chinese as a dye-stuff, under the name of *kaleh*, as well as to the Malays, who call it *kadarang*. It appears to be a production of Ligore, the most southerly province of the Siamese empire. The old fustic of the dyers is a production of the parallel latitudes in the West Indies, and is a species of mulberry, the *morus tinctoria* of Linnæus. It has been long and extensively used in Europe for dying, being, we believe, the only substance capable of giving fixed yellows and greens. The wood which we have described costs in Siam less than sapan wood, and in the London market may be quoted very steadily of late years at from 10*l.* to 12*l.* That of Cuba is the best, and that of Brazil the worst. Should the Siamese wood, which we presume to be fustic, be found, on proper trial, to be rich in colouring matter, and to possess the other qualities of the true fustic, it may become an important addition to the exports of this settlement."

## THE MONUMENT.

*From the Arabic.*

ضقلت فهل عبر الغراد لها قبر

Oh! ask me not—Oh! task me not,  
Her monument to see;  
For doubly blest is there the rest  
Which never comes to me.

Oh! say not so! you may not so  
All-searching love inhume;  
For in your breast, while life 's a guest,  
The heart 's her real tomb.

E. C.

M. KLAPROTH'S OBSERVATIONS ON MR. ARROWSMITH'S  
MAP OF ASIA.

THERE are certain persons, both in England and France, connected with literature, whose disposition and manners are no honour to their respective countries. We are sorry to be obliged to class M. Klaproth among the number. But the spirit he has displayed in his 'Observations on Mr. Arrowsmith's Map of Asia,' will, we are sure, compel whoever reads them to think very unfavourably of the quality of the author's mind. The mistakes of geographers, as of all other writers, should be corrected by competent persons so soon as discovered; we by no means object to that; on the contrary, it seems to us highly beneficial and praise-worthy. What we blame is, the performing of a useful act in such a manner as to defeat, in fact, the proper aim of criticism.

It is not our intention to enter at all into a discussion of the points in dispute between M. Klaproth and Mr. Arrowsmith; it is quite immaterial to our purpose whether the latter be or be not in error. Our remarks concern errors of a much worse description than those committed by a map-maker, and far more difficult to be defended.

It seems that, in the 40th Number of the '*Journal Asiatique*,' M. Klaproth had spoken of Mr. Arrowsmith as *the most illiterate map-maker in the world*. This was a very insolent way of speaking, and a way which gave offence, it appears, to certain geographers on the Continent. They thought the expression *too severe*, and contrived, by publication or otherwise, to acquaint M. Klaproth with their sentiments. Everybody knows what the spirit of a mere linguist is; and M. Klaproth, be it remembered, is a linguist, a great linguist, and nothing else worth mentioning. That geographers should presume to doubt the right of M. Klaproth, a *Russian* and *Chinese* scholar, to apply the epithet *ignare* to an English artist, was not to be endured; the man of all the barbarous languages of Asia was roused to vengeance; and the best method he could hit upon to confute and silence these meddling geographers, was to tell them they knew nothing in the world of their own science, but what was furnished them by the *workshop* of the very *ignare* in question, (Mr. Arrowsmith). Such are the airs which a man may take when he can spell Armenian or Chinese.

But a "savant," like M. Klaproth, would have exerted but half his privileges had he confined his sneers and abuse to any particular Englishman; it is his province to take a bolder flight; and, accordingly, having accused one individual English artist of ignorance, he goes on to represent the whole English people as nothing more than a stupid mob, who loudly proclaim, *that the sea is their patrimony*. We should suppose that M. Klaproth has formed his notions of our national spirit from those heart-stirring dithyrambics, our "*Sea-songs*," which used formerly to issue in shoals from Pitt's Parnassus,

in the Seven Dials. No Englishmen, excepting the readers or hearers of those oracles of national character, ever dreamed of usurping the "patrimony" of Neptune and Amphitrite in the manner insinuated by M. Klaproth. But even were we so very ambitious of calling the sea our own, it would be hardly fair to require our "premier-mapmaker" to be entirely without fault in delineating the coasts and limits of the ocean. Faultlessness is only to be met with in persons of M. Klaproth's vein, to whom alone it belongs to be always in the right, and to speak of others as if they were always in the wrong.

Had Mr. Arrowsmith set up for a linguist, or a critic of Tartarian dialects, we might have comprehended the reason of his mighty antagonist's displeasure; but it seems strange that a mere geographer, particularly as he has the misfortune to be geographer and hydrographer to the King of England, should have excited the envy and uncharitableness of a man who understands Chinese. However, there is some reason for M. Klaproth's anger; for certainly our countryman is not always correct in his Oriental orthography; and he has mistaken the import of several Russian words and phrases which he met with on former maps. This is a grave delinquency; a want of "savoir," and "litterature," which a linguist of the first rank can never pardon. Why did not our celebrated artist enter into a correspondence with M. Klaproth, and get him to interpret the hard names that travel on Siberian sledges? This would have been to shut the mouth of the "savant," or to turn him from a censor into a panegyrist. But one has not always prudence at hand.

That the reader may form his own judgment of the spirit in which our critic's 'Observations' are written, we shall copy a few paragraphs of his, in his own words: p. 10, he says, "Entre Astrakhan et le Jaik, on lit les mots, *près des métairies de Bakaiev*; voilà encore une bonne fortune pour Arrowsmith, pour lui c'est le bourg de *Pri-bakaevich chutorach*." Again, same page, "Le graveur Anglais est non-seulement un homme versé dans la connaissance des langues, c'est aussi un historien savant, et un critique profond. Ayant entendu parler de la plaine de *Kiptchak*, citée souvent dans les livres Arabes et Persans, il a jugé à propos d'insérer ce nom, *quelque part*, dans sa carte." The name of Klaproth sounds so very much à l'Allemande, that we had always been accustomed to consider this "savant" as a scion from the true German root; nevertheless, we suppose we are to take the following tirade as a disclaimer of German origin, for our linguist appears to make it a point of patriotism to abuse none but foreigners:—"Il paroît aussi que l'interprète dont il se servoit pour traduire les cartes russes, étoit *quelque Allemand vagabond*; car toutes les transcriptions sont à l'Allemande." Mr. Arrowsmith, in picking up his vagabond German interpreter, was, undoubtedly, extremely unfortunate, as the services of French interpreters might have been purchased at an easy rate in Paris. We earnestly recommend him to import his next interpreter from France direct, that he may possess the genuine article, and not be liable to the abusive



criticisms of the "Redacteurs" of the 'Journal Asiatique,' who, in such case, would esteem it their duty to speak well of his maps.

To go on with our critic—"On ne finiroit pas si l'on vouloit indiquer toutes les *niaiseries* du même genre dont cette partie de la carte d'Arrowsmith fourmille." pp. 13, 14. "*La science historique de M. Arrowsmith, se déploie dans toute sa force*, quand il met la première demeure des Kirghiz dans le pays d'Ordos," &c. "M. Arrowsmith est, en general, très-fort pour placer des villes là où il n'y en a pas. S. M. l'Empereur de Russie lui doit la creation de deux cent villes et bourgs dans ses états; mais l'hydrographe de Londres montre presque autant de bienveillance pour la Chine que pour les Russes." "Je ne veux pas abuser plus long-tems de la patience de mes lecteurs, et je m'arrête après la révision des deux premières feuilles de cette *détestable* carte de l'Asie," &c. p. 26. And, to close all, "*Son ignorance est telle* qu'il divise encore la Chine en quinze provinces, tandis que ce pays est partagé, depuis quatre vingts à cent ans, en dix-huit," &c. p. 27.

We have already acknowledged, that it was perfectly competent for M. Klaproth to correct the errors of our English artist where he had the ability to do so; but it should have been done with decency and good feeling. Rude charges of ignorance superlative, and rancorous sneering, appear to us entirely misplaced in scientific controversies; where, however, they too frequently obtrude themselves. Linguists too, very often, are coarse and barbarous in their tastes; and critics,—

From slashing Bently down to piddling Tibbalds, are too apt to rail in an unmannerly way; but, though we have an interest in granting large license to animadversion, we can never vote for converting the language of criticism into a kind of mitigated Billingsgate.

#### THE RETURN.

*From the Arabic.*

صَفْرَةَ مَدَمْ صَدَاهُكَ

On! sweet is the record of pleasures departed,  
When we visit the scenes of those pleasures once more;  
To each flower, to each rock, to each stone is imparted  
A language which echoes the language of yore.

But, ah! not for me is the joy; for thus meet me,  
Wherever I turn, the dark groupings of care;  
The voice of my friends is not eager to greet me:  
"Where are they?" I ask—and the echo says, "where?"

E. C.

# SCENERY, COSTUME, AND ARCHITECTURE OF WESTERN INDIA.

WE have been favoured with a hasty glance over certain portions of a highly-interesting and beautiful work, illustrative of the subjects named above, which is now in progress, and just on the eve of publication. It is the production of Captain Grindlay, who gives, by this specimen of his labours, ample proof of genius, talent, and industry, exercised to high advantage during his service in the "farther East;" and whatever may be the nature of its reception in the Western World, (which cannot however fail to be favourable,) it will be appreciated as it deserves in the country to which the work relates, and be admired for the fidelity as well as spirit with which the scenes of Western India are brought before the eye.

This publication is intended to form two quarto parts, each containing six plates, executed by the first artists in the aquatinta style, and carefully coloured after the original drawings;—it will embrace scenes and subjects, from the Mahratta country to the banks of the Indus, and promises to be as varied as it is undoubtedly beautiful. We are proud to observe a long list of noble and distinguished names among the encouragers of the work, as indicative of a growing interest in every thing that relates to India: and if, by approaching her history and condition through the attractive medium of the arts, some of these should be led to desire a nearer acquaintance with her actual state, and be led, step by step, to assist in raising that magnificent country from its present degradation, we shall rejoice at the effect, and honour the cause that has produced it.

The work itself not being yet completed, (up to the period at least of our writing this,) we cannot give an account of it in detail: but as it will, no doubt, be completely finished before our next Number appears, we could not omit the present opportunity of saying, that the portions we have seen induce us to believe the whole will be highly acceptable to all persons interested in Indian subjects, and fully deserve the patronage already bestowed on it.

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## DOUVILLE'S FRENCH GRAMMAR.

OF all the works to facilitate the acquirement of the French language, we have not seen one that appears so well calculated to effect the object as the Grammar recently published by J. V. Douville. The author has exhibited the nature of the French verbs in a new and clear manner; his remarks on pronunciation have also much merit, and he displays, on many occasions, considerable critical talent. His principal object, as distinguished from other writers on the same subject, is to render the *speaking* of French easy to English persons; and all those who study the language with a view to conversation, will do well to consult the work of M. Douville.

SUMMARY OF THE LATEST INTELLIGENCE FROM INDIA AND  
OTHER COUNTRIES OF THE EAST.

BENGAL.

AFTER the long period that has elapsed since the close of Lord Hastings's administration—a period presenting an unvaried tissue of impolitic measures and calamitous results, we are now, for the first time, enabled to announce to our readers something like good news. The last month has been productive of intelligence as gratifying as it was unexpected. The unfortunate Burmese war, so long miserably protracted, has at last been brought to a close. This intelligence was at first indirectly obtained from the *Mellish*, Captain Cole, which touched at St. Helena, on her way to England; and from thence it was brought by the *Vansittart* Indiaman. No one, however, seemed to credit intelligence so unlooked for, till it was stated that the purser of the latter vessel was actually arrived, and had been on board the former at St. Helena, by which he learnt that “General Bowser of the Company's service, formerly Commander-in-Chief at Madras, was on board the *Mellish* with the particulars of the treaty.” As these will be given at length in a subsequent page, we shall content ourselves with stating briefly here, that the terms of pacification are mostly of the usual character with those which generally terminate the Company's wars :

1. An exaction of territory : that the four provinces of Arracan, and also those of Mergui, Tavoy, and Zea, be ceded in perpetuity to the Company.

2. The Burmese Government to pay the Company one crore of rupees, or about a million sterling, by instalments, towards defraying the expenses of the late war.

3. The adjacent provinces or tributary kingdoms of Assam, Cachar, Zentung, and Munnipore, intervening between the two states, to be placed under princes to be named by the British Government, with a British Resident at each court, supported by an escort of fifty men.

4. That British ships be admitted into Burmese ports, to land their cargoes free of duty, and not to be called on to unship their rudders or land their guns as formerly, and Burmese ships to have the same privileges in British ports.

It is added, in the official document published, “no person is to be molested for *their* conduct or opinions during the war *hereafter* ;” and “the Siamese nation to be included in the peace.” The former of these may be classed, perhaps, with the clause in the treaty between England and the United States of America, the meaning of which was referred to the late Emperor of Russia. As a neglect of the common rules of grammar, that cost the nation several hundred thousand pounds; so, if at the *next* treaty of peace the Emperor of China be called on to pronounce upon the case of per-

sons "molested for their conduct or opinions during the war hereafter" it may be a question whether this refers to the present war, or all those that are to follow it.

But the only point of importance now is, whether a treaty of peace has actually been concluded on the above or similar conditions? There are some circumstances which appear to render this even still doubtful, to which we will advert.

The published copy of the official despatch from Brigadier Willoughby Cotton, contains an inaccuracy in the postscript, which is as follows:—

P. S. Jan. 13. Owing to prolonged discussions, the treaty was not signed until this day, (Jan. 3.) at four, p. m." The despatch itself is dated at Patanagoh, Jan. 1st, and states that the ratification of the treaty by the Commissioners was to take place that day at two o'clock; and that the ratifications by the king of Ava, and the English prisoners at Amerapoora, was to arrive at Patanagoh in fifteen days, that is, on the 15th of January. The discussions were prolonged, however, it appears, till four, p. m., on the 3d of January, the difficulties to any adjustment with the Commissioners having proved so much more formidable than was expected. Difficulties equally or more beyond their calculation may still be experienced before the treaty is ratified by the king; for though we are told that the Burmese minister had full powers to treat and ratify, what security have we (or had he) that on his return to Court, his despotic master may not, as on a late occasion, order his head to be struck off if he dare to mention to him such terms of peace? If the golden-footed monarch, as we were lately told, has no regard for the faith of treaties, are we to rely now on the sincerity of his promised vow? Only a few weeks after the armistice was declared to have been so perfidiously broken, is the word of the golden mouth all at once become so sacred and inviolable?

If our suspicions on this head prove well founded, it will be quite evident to the most superficial observer, that the agreeing to an armistice, the renewed hostilities, and again, the proposition to treat, are nothing more than a series of artifices to gain time, to retard the progress of the war, and weary us out with fruitless struggles; so as both to render us more desirous to conclude a peace on any terms, and, at the same time, favour the schemes of our other enemies in Central India.

If, however, the king of Ava, from anxiety to rid himself of the present annoyances of an invading army, agree to the terms stated, every person of the least reflection, at all acquainted with the character of Indian princes, will perceive that it is a treaty only made to be broken, the moment he may find it safe to do so. He who so lately rejected similar terms with scorn, and threatened to cut off the head of the man, however high, who dared to speak of a payment of money or a cession of territory, cannot be supposed to have consented to it now with any serious intention of fulfilling his engagements. The moment he is relieved from the presence of a British force, we may

expect that measures will be taken for regaining the territory extorted from him, and retaliating the injury with terrible vengeance. Plans of mutual support will be concerted with the other Hindoo-Chinese nations equally exposed to such inroads, and probably with the Chinese themselves, so jealous of European influence, to ward off the common danger. The blood that has been shed, and the devastation that has been committed in this invasion, will be chronicled in their annals, and depicted in their popular poetry, till every imagination is filled with the most horrid pictures of foreign atrocity, and the people prepared to rise *en masse* whenever the monarch chooses to call them to avenge their national wrongs and national honour. With these seeds of national animosity now so deeply sown, (like the Gallophobia of the English,) we think the chances of hostilities with the Burmese are infinitely greater than they were before; so that instead of saying that the war is now brought to a close, we should rather say it is suspended, under a nominal treaty of peace, which will last just so long as may be requisite for preparing to renew the struggle. If a pretence for doing so could ever be wanting, it will soon be furnished by the concluding article in the treaty, "that the Siamese nation be included in the peace." For if we are to guarantee a continued peace between states which are known to wage almost incessant war, and to look upon each other as natural enemies, we may as well not lay down our arms, or withdraw our troops at all.

But taking for granted that the treaty has been ratified by the Burmese, and, what is much harder to credit, that it will be faithfully attended to, what are its advantages, to compensate for the already ruinous consequences of this war, the loss of human life, the waste of so many British troops, the absolute destruction of two fine armies at Rangoon and Arracan, the lamentable catastrophe at Barrackpore, and, lastly, the insurrection of the princes and people of Central India,—which may all be traced to this prolific source of public calamity? We are to receive, it seems, a million of money, not a tithe, perhaps, of the actual pecuniary loss which has arisen out of it. We are to have, in addition, the pestilential marshes of Arracan, where we have already, in a single season, buried the best part of an army from disease alone. We are to have a political control over the provinces of Assam, Cachar, and Munnipore,—a sort of control which we might have easily acquired long ago, if we had not rather wished to avoid it; as, in the case of one or more of those kingdoms, it was tendered for our acceptance, but peremptorily rejected on principles of sound policy; because it has been strongly enjoined by the British Parliament to avoid all extension of territory, and because it is found, by long experience, that taking Native princes under our protection, whose alliance or friendship is not necessary to our safety, only serves to involve us in endless quarrels and perplexities on their account. For these reasons, when, on two successive occasions, the Rajah of Cachar, in 1809 and 1811, besought that his state might be taken under the protection of the Company, he was informed by the Government of that day, that, "consistently

with the principles ~~that~~ regulated the British Government, his overture could not be accepted."<sup>1</sup> What have now become of those wise and salutary principles, when the duty of acting as guardian to this and other neighbouring states is stipulated for by Lord Amherst as a valuable acquisition, or as a compensation for our losses in the Burmese war?

Of the acquisition of Mergui and Tavoy, little need be said, as they are of little importance in a commercial point of view, and, politically, we should think of none at all. If these and Arracan, that is, the whole of our territorial acquisitions, ever pay their own expenses, we shall be exceedingly surprised; but time will show whether, after having got rid of Sumatra, with all its expensive array of fortresses, residences, stations, and harbours, which yielded the Company a loss of about 100,000*l.* sterling annually, it is not now triumphantly saddled with possessions still more costly, cumbersome, and useless; for, so far as we can judge from what is known of the country, our present acquisitions are the most worthless portions of the Burmese territory, either to us or to them. Besides their own antient territory, which is entirely untouched, they still preserve the kingdom of Pegue, their most valuable foreign conquest, containing the important harbour of Rangoon, the great emporium of their commerce with Bengal and other countries. The English papers have, therefore, led their readers into error, in making them believe that we have shut the Burmese out from the sea-coast, and gained possession of the whole sea-board from the bay of Bengal to the Malayan peninsula; for they still retain the sole command of the banks of the Irrawaddy, and the branches of that noble stream connect all the principal places in the empire with the ocean. The places they have given up will, in fact, render their territories more compact, and impose upon us a very heavy charge for their retention, without affording any additional means worth mention for assuming political control; since an attack by sea can be directed with greater efficiency from the Ganges than from Mergui or Tavoy; and if we should wish to assail the Burmese by land, it is well known there is no passage for an army into their territories from our new province of Arracan.

It has been supposed by some, that the new subsidiary states with which we have belted our frontier, will afford a protection to our territories against the attacks of the Burmese, or such insults as led to the present war. But the truth is, it has been already proved that not one of these states is able to protect itself; and, in proportion to their number and weakness, the chances of quarrel are multiplied. Instead of their protecting us, therefore, (an idea which is ludicrous,) the very reverse will happen: we shall always be called upon to protect them from their formidable neighbours, or from each other.

In every way, therefore, the chances of war, and of future loss and trouble, are vastly increased by this treaty. Yet, under all the circumstances, it will be very acceptable to the Indian authorities; as

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<sup>1</sup> *Oriental Herald*, Vol. V. page 369.

they must be glad to escape from that miserable war on any honourable terms whatever. One feature of it well deserving of praise, is the making Rangoon a free port. The beneficial effects of this stipulation, more especially on the Burmese empire itself, as well as on trade generally, may probably, in the long run, more than compensate mankind for all the destructive effects of the war. But it is not to be forgotten, that a very active and beneficial commercial intercourse was carried on with Rangoon long previous to this contest; and no obstacle existed to the extension of this trade, which required to be removed at such an expense of blood and treasure. If, however, the present treaty improve this commerce, it is the Burmese who will chiefly benefit by it. A very great accession of foreign trade must be expected to flow towards a port declared free to one of the greatest trading nations in the world; and the influx of wealth, of civilization, and the arts, which will accompany it, must soon render the Burmese far more formidable than ever; since it is confessed that this hardy race require nothing but arms, discipline, and the *materiel* of war, to make them the finest soldiers in Asia.

What, then, has been gained by this war, in return for our immense sacrifices? Security we have gained none, as we were never in danger from that quarter. Strength we have gained none, by an addition to our already too extensive territory of other possessions, which will not pay their own expenses, and which afford no means of controlling the Burmese that we did not before possess. Again, the loss of such territory can hardly weaken our antagonist, whose frontier is still secured against us by the impenetrable barrier of mountains which divides him from our new province of Arracan,—a barrier so strong, that it is declared our army cannot pass it even in the midst of peace.

With all this, the treaty, if ratified and observed, will be received by all parties, both at home and abroad, with much thankfulness, as a pure God-send. It will relieve the Bengal Government from the pressure of two formidable wars at once; so that the resources of the state may be directed wholly against Bhurtpore, and the other fortresses now confederated against us. If this point be carried, the most pressing danger will be passed; and when Lord Amherst has effected a safe retreat from his present perilous position, it will be left to his successors—we trust to wiser men—to rectify, and, if possible, get rid of the various complicated relations into which he has drawn us on our eastern frontier. When his Lordship is enjoying his *otium cum dignitate* in England, others will have to deal with the natural fruits of the dragon's teeth he has now so thickly sown. After having planted the spirit of revenge in the hearts of a brave and barbarous people, he leaves us in return the security afforded by a piece of paper called a "treaty of peace"!

In confirmation of our opinions on this subject, we recommend to the attention of our readers the following remarks from one of the most intelligent English journals now published, and one which, as to correct and enlarged views of Indian politics, has no rival in this country. We mean the 'Globe' of the 15th ult., which observes:

It appears that Pegu remains in the hands of the Burmese, but the whole of the other maritime provinces are ceded to the Company; while Princes named by our Indian Government are to be placed in Assam, Cachar, Zaitung, and Munnipore. These last Princes, we suppose, as is usual in such cases, will be guaranteed in their possessions by the Indian Government, and supported by subsidiary forces.

If extension of territory were in itself desirable, this treaty would be gratifying. With the exception of the mouths of the Irrawaddy, the command of the sea-coast is obtained as far as the Malay Peninsula, while the territories of the subordinate Princes will extend to the frontiers of Tibet. It is yet to be seen, however, whether this extension of territory is worth the expense at which it has been purchased. We have not a better or more defensible frontier than before, and the ceded country includes the pestilential province of Arracan, which has already been the grave of so many troops. The Burmese, too, unless they are much more reasonable and docile than the powers of Hindoostan, will *not* be taught prudence by one disastrous war. The Eastern Princes with whom we have had any thing to do, have never found themselves easy till they have been placed in a state of complete subjection. This is a result, the conveniences or inconveniences of which should be always looked to before a war with one of them is commenced.

The extension of the number of Princes dependent upon the British power, is of still more questionable utility than the increase of our own territory. The management of these Princes, for whose safety we hold ourselves responsible, while we have very imperfect means of checking their mal-administration, is one of the greatest practical difficulties of our Indian policy. The British Government is often obliged to act as the upholder of oppressors, who are encouraged, by the knowledge that they are supported by an irresistible force, to indulge, without restraint, a spirit of tyranny and rapacity. Residents are appointed to watch them; but it becomes a matter of almost equal difficulty to watch the Residents themselves, whose situation gives them greater facilities for abuse of power than can be safely intrusted to any men. The subjects of these dependent Princes must be considered to be in a transition state, (and a very inconvenient one,) which prepares them for, and reconciles them to, the complete domination of the British.

Some facility may be given, by the pacification with the Burmese, for the extension of commerce with Ava; but the condition of the people does not lead us to hope that it will be very valuable or important.

A letter published in the Calcutta 'John Bull,' of the 20th of November, mentions, that the bank of Bengal had then suspended payment a *second* time, in consequence, it would appear, of its great exertions to relieve the necessities of the Government! After this, we need not be surprised to learn that the Public Treasury has become insolvent, and that Lord Amherst and his Council is in the list of bankrupts! or that they are fain to accept, from the Golden Foot, a *promise* of one crore of rupees, instead of their former demand of two in cash. The bank appears to have got over this difficulty, and quickly resumed payments.

Since making up the foregoing pages, we have received a file of the Bengal 'Hurkaru' for a part of November and December last, which, however, presents nothing very remarkable, except a series of letters by Dr. Tytler, entitled the 'Arracan Papers,' describing the dreadful



sufferings of the British troops and sepoye in that land of Goshen, which Lord Amherst boasts of gaining for the Company,—the whole forming a pestilential marsh, pregnant with diseases more hideously loathsome and deadly than all the plagues of Egypt.

#### CENTRAL INDIA.

A paragraph in the 'Bombay Gazette' of the 21st of December, announces that a report had been received there, which, if it prove well founded, will make the political situation of India much more alarming than ever. All persons of reflection have for years past regarded the celebrated Runjeet Sing as the most dangerous enemy we had to fear, eminently skilled as he is both in the arts of war and peace; alike prudent and successful in the cabinet and in the field; with a disciplined army at his command, always ready to take advantage of any favourable conjuncture, and with sufficient judgment to discover and seize the favourable moment when it should arrive; surrounded and supported by his brave and independent Siekhs, who have never yet bent to the Company's yoke, nor permitted a British Resident to insinuate himself into their public councils; who, together with courage, military discipline, political independence, and jealousy of our power, command the path into our Eastern dominions which has given India an easy prey to every invader from the north. When such a mass of political power is placed in the prudent and skilful hands of such a leader as Runjeet Sing, it cannot but be formidable to so loose and unsettled a fabric as our Indian empire; so that even in time of peace the slightest movements of this chieftain were regarded with jealousy. When the Burmese war commenced, the first question with reflecting politicians was, "Will Runjeet take advantage of it?" Again, would not the report of the Barrackpoor mutiny suggest to him that this was the time to strike a blow? And when Bhurtpore raised the standard of revolt, summoning every spark of independence that yet remained in Hindoostan to make one effort more to redeem India from a foreign yoke—the great question still was and is, "Will Runjeet, like the antient Roman, come forward in this crisis and throw his sword into the scale?" As the famed Cunctator, who kept hovering like a cloud upon the mountains, and at last poured down his legions in destructive torrents upon the long-victorious Hannibal, Runjeet Sing, whose designs have so long been dark and doubtful, is supposed to be at last taking a decided part; as appears by the following extract from the 'Bombay Courier':

*Bombay, Dec. 21.*—A report is in circulation that Runjeet Sing has made some hostile preparations against Scinde; and such is the general consternation in that country, that the merchants have directed their agents to postpone their orders for merchandise till further advice. Another has been received, but to which little probability can be attached, that he is moving with 70,000 men towards Bhurtpore, to assist the rebel party.

We shall offer no comment on the authenticity of this intelligence; but we have for some time past remarked, that the Bombay papers give a much more impartial account of the political state of India than

those of Bengal, immediately under the influence of the Supreme Government, which has an ardent love of mystification. The following official account, respecting the progress of the siege of Bhurtpore, is worthy of insertion, although nothing decisive has yet been accomplished towards the reduction of that renowned fortress :

*Fort William, Jan. 2.*—The Right Hon. the Governor-General has received a despatch from his Excellency the Commander-in-Chief, dated Head-quarters before Bhurtpore, 23d December 1825, a copy of which is published for general information.

“ To the Right Hon. Lord Amherst, Governor-General, &c.

“ MY LORD,—I have the honour to acquaint your Lordship, that the engineers having reported to me that they were prepared for commencing operations against the town of Bhurtpore, I this morning advanced a force into the jungle, and took possession of the small places called Kuddum Kundee and Buldeo Singh's Garden, which afford cover for the troops, and on being joined by a covered way, will form the first parallel, at a distance from the fort of about 800 yards. I expect that this parallel, with a mortar battery of twenty pieces at the garden, and a gun-battery of six eighteen-pounders at Kuddum Kundee, will be prepared by to-morrow morning, when we shall return their fire.

“ I have enclosed, for your Lordship's information, a sketch of the country round Bhurtpore, showing the encampment of the troops, and I hope to-morrow to be enabled to forward a plan of the intended works; in the mean time, I beg to observe, that our operations will, in the first instance, be directed against the north-east angle of the town.

“ The return of casualties in the army this day has not yet been received; but no loss was experienced in taking possession of the ground this morning, and though the enemy have kept up a constant fire during the day, it has been by no means injurious.

“ A return of casualties since the 14th instant is herewith transmitted: our loss at present has been confined to a few casual shot from the fort at our reconnoitring parties, and some trifling skirmishes with the enemy's cavalry outside of the fort, who have endeavoured to harass our foraging parties.

“ Being desirous of saving the women and children in the fort from the horrors of a siege, I addressed a letter, on the 21st instant, to Doorjun Sall, calling upon him to send them out of the fort, promising them a safe conduct through our camp, and allowing him twenty-four hours for the purpose. Having received an evasive reply, I have again sent to him, allowing him a further extension of the time for twelve hours. To this letter I have not received an answer, though he must have received it yesterday afternoon.

“ I have the honour to be, &c.

(Signed) “ COMBERMERE.

“ Head-quarters, Camp before Bhurtpore, Dec. 23, 1825.”

Return of casualties in the 2d Division of the Army, under the command of Major-General Nicolls, on the 15th of December 1825 :

11th Regiment Native Infantry.—Wounded, 3 sepoys; 2 severely, 1 slightly; missing, 2.

31st Ditto.—Wounded, 1 severely.—Total 6.

Return of killed, wounded, and missing, of the out-lying Picquet of his Majesty's 11th Light Dragoons, and the fighting Party of the 4th Regiment Light Cavalry, on the 20th and 21st of December 1825 :

*His Majesty's 11th Light Dragoons.*—Wounded, Lieutenant Wymer, slightly; 2 privates, 4 horses.

*4th Regiment Light Cavalry.*—Wounded, 1 naick, 2 privates, 4 horses.—Total, 1 Lieutenant, 1 naick, 4 privates, 8 horses.

(Signed) W. L. WATSON, Adj. Gen.

Published by command of the Right Hon. the Governor-General in Council.

GEORGE SWINTON, Secretary to the Government.

In confirmation of the report received by the way of Bombay respecting the hostile preparations of the redoubtable Runjeet Sing, it was also reported in the Bengal papers of the end of November, that the Supreme Council there contemplated a large augmentation of the army, in consequence of the appearance of dangerous movements among the Sikhs.

*Death of Mr. Moorcroft.*—Poor Moorcroft, the enterprising indefatigable Moorcroft, is dead. He was the very best man that could have gone upon such exploratory and perilous errands as his were. He was, in his way, eminently gifted. Physician, artisan, horse-doctor, he knew a little of every thing, and most of what was most useful. Moreover, he was liberal, frank, open, and courageous, just the man, in short, for the tribes amongst whom he travelled, and better suited than probably one individual in a thousand, to raise our character for general intelligence and fellow-feeling, a point which, strange to say, our conduct in these parts has made more problematical amongst the Natives than any other. There is a report, that Moorcroft died of chagrin at hearing that Government had stopped all his allowances, but we do not believe it; if indeed he was so treated, it is difficult to imagine any thing more mean, ungrateful, or impolitic. It is thus that our profit-and-loss rulers have ruined, and will continue to ruin, every plan that has for its object the spread of general knowledge, or the happiness and civilization of man, whether foreigners, or our own subjects of Hindoostan, be concerned.—*Private Letter.*

#### BURMESE WAR.

The following is an extract of a letter, dated from Coel, 29th December last: "Operations against Bhurtpore were going on very successfully. The town had been several times set fire to by our shells, and it was expected that the troops would effect a lodgment in three or four days."

This was brought by the *Childe Harold*, and bears the Madras post-mark of the 24th of January; yet nothing is said of any confirmation of the news peace with the Burmese, although a vessel would run across the Bay from Rangoon in four or five days at that season; and we might consequently have had intelligence nearly a fortnight later than the official accounts quoted below, reporting the ratification of the treaty.

Having, in the preceding pages, entered into a full discussion of

the present state of affairs, and the prospects of peace held out, we shall here give the facts, that the reader may judge for himself:

*India Board, May 13.*—Despatch, dated the 17th of January, 1826, has been this day received at the East India House, from the Secretary to the Government at Fort St. George, enclosing a copy of a despatch from Brigadier-General Willoughby Cotton to that Government, of which the following is an extract:—

*Patanagoh, Jan. 1.*—I have the honour to acquaint you, for the information of the Honourable the Governor in Council, that the pursuit of the scattered columns of the enemy was continued from Meaday to Patanagoh, by forced marches, by the Madras division, accompanied by the body guard, a troop of horse artillery, and a commander of the forces; on reaching Neaungla, five miles below this place, we ascertained the enemy had crossed their whole force to the right bank of the river, and that they occupied the position of Malloon, consisting of a series of strong fortified heights, and a formidable stockade, with from ten to twelve thousand men. It was also ascertained, the king's brother-in-law, and most of the men of rank, who had assisted at Zeahengaish, were at Malloon; they despatched a woodowle on the 28th, with a flag of truce and a letter, stating it to be the wish of their chiefs to put a period to hostilities, and that a minister had arrived from Ava with full powers to treat and ratify, and requesting a meeting for that purpose. Lieutenant-Colonel Tidy, and Lientenant Smith, of the navy, were accordingly despatched to arrange a conference to be held in a boat on the centre of the river, moored between Malloon and Patanagoh. Accordingly, the Commander of the forces, and the second commissioner, Mr. Robertson, attended by myself and most of the brigadiers, met the two Burmese commissioners, Kelien Menjee and the Kee Woonjee, on the 30th ult., and I am most happy to state that the result of the conferences of that day and yesterday has been a satisfactory adjustment, as far as regards territory and money, between the British and Burmese nations. The ratification, by the commissioners, of the treaty, takes place this day at two o'clock, and the terms of peace are as follow:—

“The four provinces of Arracan to be ceded in perpetuity to the Honourable Company.

“The provinces of Mergui, Tavoy, and Zea, to be ceded to the Honourable Company in perpetuity.

“The Burmese Government engage to pay the Honourable Company one crore of rupees, by instalments, the periods for the payment of which to be settled this day.

“The provinces or kingdoms of Assam, Cachar, Zeatung, and Munnipore, to be placed under princes to be named by the British Government.

“Residents, with an escort of fifty men, to be at each court; British ships to be admitted into Burmese ports, to land their cargoes free of duty, not to unship their rudders or land their guns; Burmese ships to have the same privilege in British ports; no person to be molested for their opinions or conduct during the war hereafter.

“The Siamese nation to be included in the peace.”

Thus, I hope, has terminated a war which has been most expensive in its prosecution, not only in money, but also, by the effects of climate, very destructive to both European and Native troops; but I hope the Honourable the Governor in Council will here permit me to express the unanimous grateful feeling of the Madras army for the considerate comforts the Madras Government have, upon every occasion, forwarded to their army here, comforts which have been the means of saving many valuable lives, and

which will be ever most gratefully acknowledged by every officer and man.

It will of course take a long period to arrange the move of the troops from hence to Rangoon, with the materiel and stores.

The ratification of the treaty by the King of Ava, and the English prisoners now at Amerapoorah, are to arrive at Patanagoh in fifteen days (15th January), on the receipt of which we shall immediately retrograde to Prome. The roads across the Arracan mountains present difficulties which will oblige the Bengal army to retire by Rangoon.

P. S.—Jan. 13.—Owing to prolonged discussions, the treaty was not signed until this day, Jan. 3, at four P. M.

We shall only add one remark more: It was pompously announced in the Government papers of Bengal, that had the Burmese fired a hostile shot after the late armistice was concluded, Pegue would from that moment be declared to be severed for ever from the Burman empire! Now, the Burmese have since broken through the armistice, treated such a threat with contempt, fired, not one, but thousands of hostile shots, and made a great havoc among our officers and men; yet, after all this, we are glad to conclude a peace with them, accepting (after this drubbing!) a million less than we previously asked, and leaving them Pegue, that was to have been eternally severed from their empire! This is called a glorious termination to the war,—a triumphant and honourable peace!!!

The following are extracts of three separate letters received from Bengal, on the Arracan Court of Inquiry, and the last skirmish with the Burmese:

Since I last wrote, there has been a great deal of speculation on the Arracan Court of Inquiry, ordered upon the suggestion of Dr. Tytler; as usual, parties run very high, and in this public, composed of Government functionaries, the personality of the attack, and the dangerous publicity given to the evils complained of, are loudly blamed. But this clamour subsides in proportion as the dreadful nature of the calamity becomes more apparent; and it is now generally acknowledged, that Dr. Tytler has acted with judgment and intrepidity, and that he deserves the respect and gratitude of the country. I forbear to make any comments, hoping that the publication of the opinion given by the Court will satisfactorily explain every thing; it is not, however, useless to observe, that the repeated injunctions to be economical, so indiscriminately and authoritatively sent out by the Leadenhall-street politicians, may have, as in the instance before us it unhappily has had, a most disastrous effect on the conduct of individuals who stand so much in awe of responsibility as the leading men of this Government do, when the pleasure of their masters, and not the honour of the British name, is at stake.

Our news from Prome is unfavourable. Sir A. Campbell has had another detachment repulsed by the Burmese; the affair is got over in the official despatches, as usual, with regretting that the troops retreated at all, and praising them for not having retreated before; but there are two points incidentally brought to light, which deserve serious consideration. The first is, that the opposing force were Shaums, people from the frontiers of China, which seems to indicate that the Burmese monarch is determined to parade every man who is able to bear arms, before he makes peace with us, besides an attempt to bring our Koutou friend to take part in the quarrel; and,

accordingly, these very Shaums were destined to attack Prome, and cut off our supplies and magazines, as soon as Sir A. Campbell had removed too far to be able to render them any assistance; and when I add, that two of the corps now defeated were destined to have been the only garrison of Prome on the advance of the main body to Ava, some idea may be formed of the ability of these people in conducting a defensive campaign, and of the risk we so narrowly escaped of a much greater military disaster than that which has befallen us. One thing I am glad to observe, that Pegue has been declared independent of Ava. Pegue is the Poland of the Burmese empire, and if proper means be taken to organize its population, and put its principal places in a state of defence, a point of retreat and rally will have been furnished, the value of which we may yet feel disposed to acknowledge.

Sad doings in our proceedings against the Burmese. The armistice ended in nothing at all, except in the Emperor slitting the mouths, from ear to ear, of the chiefs who conveyed General Sir Archibald Campbell's terms to him; on which occasion, the golden-footed Monarch is said to have stated, that the English were encroaching usurpers and treacherous freebooters,—picking a quarrel with him about a swampy islet, in order that they might thereon set up a plea for stealing into his empire, and for robbing him of the fairest jewels of his diadem, just as we had done by other weaker Eastern potentates; and that we had trepanned his leaders into a cessation of hostilities, disgraceful to his reign, only because we felt our weakness, and wanted to gain time for the arrival of fresh troops; finally, that he would grant no terms beyond permission for our forces to return to Calcutta, without molestation in their retreat. True enough it is, that Sir Archibald was re-inforced during the truce. On or about the 10th ult. he advanced from Prome, and hearing of an assemblage of the enemy not far a-head, at a place about twenty miles from Prome, he pushed forward two brigades, consisting of four Madras regiments, under Lieutenant-Colonel M'Dowall, and, as we hear, without scaling-ladders or a single gun. They came upon a strong stockade on the 16th or 17th ult., and a much greater number of the enemy than had been calculated on. They were repulsed with the following loss, viz.: the Lieutenant-Colonel and another Officer, killed; ten Officers wounded, some of them severely and dangerously; fifty-one sepoy killed, 103 wounded, and thirty-nine prisoners, or missing. In my opinion, this warfare is only now beginning. I dare say we shall go on to Umerapoora, and take it; but I see not what good that will do us, for we shall find neither Emperor, nor court, nor treasure there: all will have gone into hills and wilds. These people are much like the Malays. When at the capital, we shall have increased our distance from home considerably; and it will be still more difficult to pay our troops, to supply provisions and commissariat stores, to forward ammunition, &c. &c. By my calculation, we have spent much upwards of a million sterling already in hire of transports, buying and building of gun-boats, and, in short, in shipping and boats alone! In the opinion of the Natives, we have quite the worst in this warfare, for they are not used to see us settle a job (if it were not yet settled) so tardily. Consequently, to right ourselves in their opinion, we must make a splash elsewhere; and this is the way in which I account for our present doings against Bhurtpore, Deeg, and Alwur.

#### NETHERLANDS INDIA.

We have often predicted that the establishment of the principles of free trade at Singapore by its founder, Sir Stamford Raffles—those

salutary principles so ably advocated by Dr. Crawford, his successor—would have the happiest influence on the trade of the Eastern Islands; as the surrounding states would soon see that unless they abolished the miserable restrictive system, commerce and wealth would desert their ports for that favoured emporium of trade which was fortunately free from their grinding duties and monopolies. We are extremely glad to find our prediction confirmed on so extensive a scale.

By the *Bengal*, Captain Gallop, arrived from Batavia, from whence she sailed on the 26th of January, the following very important news has been received. By order of the Dutch Government, all the ports of Batavia are to be declared free to the trade of all nations, and the import duty on goods is to be considerably reduced. One of the letters says, "All the ports of Batavia are declared free to trade with all other nations;" but is doubted being the entire truth of the assertion; we thought it premature, as all the other statements only say such a measure is in a forward state, and it is reported had passed the Council.

This great alteration has been brought about by the indefatigable exertions of the Lieutenant-Governor, General de Kock. The Governor-General, Vander Capellen, had proceeded to Bassa Island, to take his departure for Europe, having been superseded by the appointment of a new Governor; the latter had not arrived.

In addition to what we have stated in the measures of the Governor *ad interim*, he had remitted the rents paid to the Dutch Government, for the coffee and other plantations. He had also put an end to the war, by promising the native Princes protection for their property and personal security, whatever their previous conduct might have been. One hundred and eighty soldiers had arrived from Holland, and six hundred more were daily looked for.

#### NEW SOUTH WALES.

Sydney papers have been received up to November 4, and contain accounts of the testimonies of respect shown to Sir T. Brisbane, who is just returned to England from the government of that colony. Some schisms had taken place on the occasion, as Sir Thomas appears to have offended the more aristocratical, by the fair and equal countenance which he has shown to all the colonists, whatever may have been their condition, on coming into the colony. Three official persons, the Archdeacon, Attorney-General, and Commissary-General, declined to attend a dinner given to him, because (as far as can be discovered) some persons were invited whom these gentlemen did not approve of.

#### SIR HUDSON LOWE.

Intelligence has been received, through the medium of German papers, of an intended attack upon Sir Hudson Lowe, by the French Consular Agent at Smyrna. It is a singular circumstance, says the '*Globe*,' though angry feelings towards the officer in question are any thing but singular, be the merits or demerits which have produced them what they may, even at Vienna, it seems, the late presence of Sir Hudson was deemed inauspicious.

*Smyna, April 3.*—Sir Hudson Lowe, who is here on his way to India, was near falling by the hand of a fanatic Frenchman, who probably meant, according to his notions, to avenge his country. The French consular agent, Perry, got into the house where Sir Hudson Lowe resided, and finding the doors of the apartments shut, he broke them open, and destroyed all the effects of Sir Hudson Lowe, who was fortunately absent on board a ship. Perry was armed with a dagger, and, in his blood-thirsty rage, declared aloud, that he should find means to get at the murderer of Napoleon, his former master. He was arrested, and is now kept in strict confinement in the consulate. Since this event, Sir Hudson has remained on board the English ship.

### CAPE OF GOOD HOPE.

The long expected departure of the Governor for England having at last taken place, the colonists appear to have been particularly on the *qui vive* during "the last days of Lord Charles;" and we have therefore devoted an unusually large portion of our space to Cape affairs in the present month, in order to do justice to the "sayings and doings" on that occasion. Not to extend it to too great a length, as our friends on the spot have entered so fully into these subjects of local politics, which they are the best qualified to discuss from being familiar with all the facts, we must abstain from adding any comment of our own; and shall merely recommend the attention of our readers to the subjoined extracts of letters recently received. One document particularly deserving the reader's attention is, the Memorial of Mr. Launcelot Cooke, whose case we hope to take up in a future Number, as one of humanity and justice to the much-injured African race. At present, we can only refer our readers to the case as detailed by that gentleman in his memorial to the Lords of the Treasury, in the subsequent pages, and here commence with the private letters from the Cape:

Cape Town, Feb. 25, 1826.

Since all doubt has been set at rest as to the *period* of our ex-Governor's departure, the friends of corruption have been busy at the worn-out and stale trick of getting up "Addresses." A certain young man, in especial favour with Lord Charles Somerset, has been remarkably active in the affair. Sir John Truter and Martinus Horack, with the aid of Mr. H. Ross, a merchant here, remarkable for his "plebeelity," cooked up the Address, a copy of which I subjoin, and then placed it in the Town-house for signature. A wag, the next morning, posted up the following placard: "An Address for signature at the Burgher Senate, LIES!" This was speedily torn down, of course. All grave and thinking people ridicule the idea of the address system *in toto*. The effects of the late system of Government will not be rooted out in a generation. It has sapped every particle of independent feeling, especially among the Dutch inhabitants, who, in cases of oppression, saw not the remotest prospect of redress, and therefore, to prevent utter annihilation, submitted quietly to their fate. These are facts so notorious, that Lord Liverpool and Mr. Canning will not dare to shut their eyes to them. The colony has been losing property for these ten years past; and it suited certain selfish and mercenary views to keep the home Government in ignorance, and to facilitate the depreciation of the rix-dollar.

It would stagger belief to state to what extent this iniquitous system was



carried. A certain great man is understood to have between 300,000 and 400,000 rix-dollars (about 26,000*l.*) out in various shapes, at interest, every dollar of which he obtained from the over-issue of paper-money. The sudden withdrawing of the circulating medium, and the general distress which prevails, amounting, in fact, to a temporary colonial bankruptcy, render it no way possible for his Excellency to call in his various debts; and you will thus see that he has *some reason* for desiring to *return*. And yet Ministers are blamed for *fixing* the value of the rix-dollar! If there be any blame, it lies in its not having *long ago* been fixed. His Excellency will not like to avow that he has such enormous out-standing debts in this colony, as it will open Lord Liverpool's eyes to the fact of his Excellency having been a *merchant* as well as a *sovereign*,—a fact with which we colonists are acquainted, to our cost. Beg, pray, and entreat such of my countrymen as have any influence, to prevent the return of Lord Charles Somerset to this colony. He has of *late* been plausible, and easy of access; but, rest assured, it is not real. Hudibras says :

"He that's forced against his will,  
Is of the *same* opinion still."

Lord Bathurst, I am sorry to observe, seems bent upon protecting his friend, Lord Charles. Mr. Greig, whose Journal and business Lord Charles suppressed, received an order from Lord Bathurst for the restitution forthwith of his printing apparatus, which had merely been left in *pledge* with the Colonial Government. On his arrival here, he made application for them, and produced his order; but Lord Charles refused to restore them, because he had, (notwithstanding a "warrant" issued by himself, directed to remain in force *till his Majesty's pleasure should be known*) sold them, immediately after Mr. Greig's departure from the colony, to a certain Mr. Bridekirk, *to whom he lent the colonial money to purchase them*. Mr. Greig made a representation to Lord Bathurst, and complained of the loss and inconvenience to which he *must* be subjected by a disobedience of Lord B.'s orders. Lord Bathurst pretends he was not "*officially*" aware that the types, &c., had been sold at the time he directed their restitution, (which, by the way, seems incredible; for I am informed that Mr. Greig, while in London, complained of *this fact* to Lord Bathurst, and considered it an aggravation of his case, that the Governor should venture to dispose of property which *he himself* had directed should remain sealed up, until a reference could be made to the King for his approval or non-approval of the stretch of power which the Governor had exercised.) Now, if I am correctly informed, the restitution of Mr. Greig's printing apparatus arose *entirely* out of the representation he made of their being in the possession of Mr. Bridekirk! and that no mention whatever—not the remotest hint—was made of restoring them, prior to that period! This, I think, should be known to Mr. Brougham.

Here has Mr. Greig (to say nothing of those highly-talented and persecuted gentlemen, Mr. Fairburn and Mr. Thomas Pringle) been struggling to employ himself *usefully* for the community since August 1823; his paper *has* effected immense good, by exposing some gross and glaring abuses, and, above all, by diffusing useful information among the Dutch Boors, and leading them to *think*. This man is thwarted, and every obstacle thrown in his way, by men, against whom, contrary to the warning of experienced friends, he would not suffer a *whisper of suspicion to be breathed*. Here are Lord Bathurst, and Mr. Wilmot Horton, upon the faith of whose *written* and *verbal* promises he consented to relinquish his claim to *legal redress* against Lord Charles Somerset, (the very mention of which was an admis-

sion of his ground of action), now that Mr. Greig has been got away from England; not only disregarding every promise—not only permitting their grave orders to be contemned and laughed at, and thereby winking at an insult offered to Majesty itself; but saying nothing of the use of the *public money* which enabled Lord Charles Somerset to get out of the difficulty in which he involved himself, by an unwarrantable disposal of types which, strictly speaking, did not belong to the Colonial Government! What, Sir, will you say, on learning that Lord Bathurst has actually ordered the Colonial Agent in London, Mr. Courtenay, to provide a complete set of printing materials, which he is to send to this colony, to be placed *at the disposal* of Mr. Bridekirk! and then, when he shall be comfortably in possession of these new and bright materials, Mr. Greig is graciously allowed the *privilege* of taking the *refuse and nearly-worn-out types*, off Mr. Bridekirk's hands, upon consenting to pay for them by instalments! and this is done (to use Lord Bathurst's own words) "to enable Lord Charles Somerset to comply with the original directions for their restitution!" Had Lord Bathurst censured the Governor for a non-compliance with his instructions, and ordered new materials to be sent out to Mr. Greig at his (the Governor's) expense, there would have been a semblance of justice; but even, in that case, the *bonâ fide* and *original object* of his Lordship in directing their restoration, would have been lost sight of. Lord Bathurst acquiesced in the spirit of the representation which Mr. Greig made to him, on learning that the materials were manifestly in use to his detriment; and with a view to replace Mr. Greig on his *former* footing, his Lordship proposed the measure of restitution, and also with a view to show his sense of the impropriety of the whole proceeding. I have good authority for saying, that these were Mr. Horton's own words, and that he suggested to Mr. Greig to make an application to that effect.

The matter should be as widely known as possible, as a caution to *young* men not to allow themselves to be put off with mere speciousness.

Here is a man who has lost some thousands, whose character was attempted cruelly to be aspersed—and yet, to use the cant of the day, "every thing should be *forgotten*!" Forgotten, forsooth! why forgotten?—No;—I say, the world cannot know too much of such acts. Public opinion is, thank God, infinitely too powerful to pass such things in silence. A dissolution of Parliament is coming, but I trust Mr. Brougham and Mr. Hume will show up Colonial Abuses in a way that shall secure to all the king's subjects in his colonial dependencies—British laws and British justice!

*Copy of the Address to his Excellency the Governor, which lay for signature at the Town-house, Cape Town.*

"To the Right Honourable Lord Charles Henry Somerset,  
Governor, &c.

"MY LORD,—Understanding that your Excellency is on the eve of your departure for England, we take this opportunity of offering your Excellency our sincere thanks for your *paternal* solicitude in promoting the interests of this settlement, during the time you have governed it; and though we have deeply to lament that any cause should exist to deprive us of your Excellency at so critical a period as the present, yet we confidently hope that your *visit* (!) to England may be productive of much good to the colony. Your Excellency is aware how much we have suffered, and are suffering, by the loss of several crops; the late serious and unexpected check to our wine trade; the reduced value of the paper currency; and the monopoly of the

East India Company;<sup>2</sup> and we have no doubt but your Excellency will use your influence with his Majesty's Ministers to adopt such measures as you may deem best calculated to relieve us.

"Sincerely hoping that we shall soon have the pleasure of again seeing your Excellency at the head of this Government,

"We have the honour to be, &c. &c. &c."

By the last accounts, the signatures to the above amounted only to 137 names, chiefly those of clerks and menials, except two: Daniel Dennyssen, Fiscal, and Hamilton Ross, were all that were obtained in two days and a half, and that in a populous town like Cape Town. The average number of persons passing the Town-house every day is estimated at 5000;—a comparison of the number of signatures with the above, will enable you to form some idea of the estimation in which Lord Charles is held.

I have just heard, for a *fact*, that to the Address names have been added for which no authority was given for entering them! Mr. Maskew I know of, from my own knowledge, and there are many more. Upon this you may rely. Now, what names may (I do not say *will*) be added on board of ship, if they begin in this *business* way? This fact should be known. I have learned also, that old Mr. Bergh, of Green-point, has put his name down, and has also signed for his sons, (one of whom is at Clan William, and another at George, a distance of 200 miles nearly.) *Women's* names are also put down; and young Martinus Horack has been urging the people to put *any* name down, "merely to give Lord Charles a *bumper*!" This is a fact. A dinner was yesterday (24th) "got up by heads of departments," but even here again it was a mere "hole-and-corner affair." Several gentlemen whose names were put down "*of course*," absolutely ventured upon striking them out!

P.S.—You will excuse me for adding a postscript. His Excellency (that is, his *friends*) finding himself palpably *out-voted* in the "Address," set about getting up a *dinner*,—a kind of auxiliary to the "Address." This dinner was *professedly* to be given by the "*heads of departments*," and was to take place on Friday last, the 24th; but a schism among the functionaries, as to who were or were not "*heads of departments*," rendered the effort a mere abortion; and another *dinner* was immediately determined upon. A few clerks in the colonial office, and Burgher senate, drew up a paper, to give a "subscription dinner" to his Excellency the Governor, prior to his departure. Mr. Hamilton Ross was applied to, to get it placed in the Commercial Hall, where it lay, from Saturday morning till the evening, without the name of a single merchant or frequenter of the room, save only Mr. Ross's. This was awful! The affair would fail! What was to be done? "Why, withdraw the paper, and I," said a Gentleman of horse-selling notoriety, "will make every mother's son of them sign." On Sunday morning, this individual, accompanied by Mr. Bergh, clerk to the *Society House*, and one or two other "*aspirants*," sallied forth, and had the Caffers or the Mantatees been

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<sup>2</sup> The words "monopoly of the East India Company," were added at the suggestion of Mr. Hamilton Ross. This has gained it a great proportion of its signatures. Several friends of Lord Charles, I am told, tried to dissuade him from trying the *experiment* of an "Address" in Cape Town; well knowing, no doubt, his unpopularity. The advice was *not* listened to; and the result is, that his Lordship, out of a population of nearly 20,000 *effective* persons, has only about 250 who have signed the Address. He is thus fairly *out-voted*. What more would Ministers have?

at Rondebosch, the alarm they created could not have been greater. Galloping (contrary to law, by the way) through the streets, to the houses of individuals whose names were *already* entered, and thus placing them in the somewhat invidious situation of *refusing to dine with his Excellency*. Many gentlemen of my acquaintance frankly told me, they were *afraid* to strike out their names! Had the list been placed in various public places, and individuals left to their discretion, I will venture to say, not six names would have been obtained beyond the names of those *in office*. Upwards of 200 persons sat down, and, oddly enough, either General Bourke, or Sir Richard Plasket, ordered five pieces of artillery to be placed on the parade, to be fired on the Governor's arrival! A curious way of expressing public satisfaction at his Excellency's speedy departure. After the cloth was removed, and loyal toasts drank, the Governor's health was given, when he returned thanks in a pathetic speech, and even *shed tears*. Mr. Stoll spoke, and *cried also*; and Herbert Pugh (the same individual who covered Sir R. Donkin with praise) made a speech and *cried too*; and all the company cried! How pathetic!<sup>3</sup> Can Lord Charles be so far infatuated, as to suppose that the people of England, or his Majesty's Ministers, (than whom, as a body, no more able or upright men ever existed,) will be influenced one straw by *any* account whatever, especially the *impartial* one which will be given by the *Government edition* on Friday next, the 3d! Let Mr. Brongham *insist* upon the production of Colonel Bird's papers, given into the Commissioners of Inquiry; let him call for affidavits also delivered to the Commissioners, made by Mr. D'Eseury, Dr. Bailey, and others, relative to certain "*horse cases*," in which, if report speaks true, it is proved that grants of land have been made to parties paying 3,000, 4,000, and even 10,000 rix dollars for a horse!! Then let Mr. Brougham ask, why his Lordship did *not* act up to the proclamation of Sir John Radock, now Lord Howden, (proclamations are *laws* here,) which sets apart certain revenues towards the redemption of a million of dollars, created to meet certain exigencies? Colonel Bird can answer such questions, as he was Colonial Secretary at the time, and did all in his power to arrest the evil, by protesting and remonstrating. Colonel Bird can also give a tolerable opinion, if he be asked, whether the colony would *now* have been in a state of insolvency, (from which nothing but a signal boon, a breakwater, from the mother country can extricate it,) had Lord Charles checked the over-issue of paper money, and attended a little *more* to business, and a little *less* to horse-racing and fox-hunting.

Cape Town, March 1, 1826.

The Commissioners of Inquiry, amongst other matters connected with this unfortunate colony, have been very busy inquiring about the state of the prize negroes, in consequence of Mr. Launcelot Cooke's complaint to the Treasury, relative to the cruel treatment of that unfortunate race, whose cause Mr. Cooke so nobly advocated, and for which the colony is so much

<sup>3</sup> This equals, if it does not excel, the pathetic scene described by Sterne in the '*Life of Tristram Shandy*,' when such was the power of Corporal Trim's eloquence, that all the eyes in the kitchen swam in tears. If such an effect was there produced by the heart-melting fall of the Corporal's hat upon the floor—plump, like a piece of lead—suited the action to the words, "*Gone in a moment!*" so affectingly, that "*even the foolish fat scullion scouring the fish-kettle upon her knees on the ground, was moved by it,*"—no wonder, alas! that the fall of the ruler of the Cape from the lofty pinnacle of his authority, (though not quite "*gone in a moment,*") should also produce these heart-rending scenes.

indebted to him. Report says, that Blair and Wilberforce Bird must fall. Mr. Cooke's case is so good that I need say nothing more about it now, for he must triumph, after one of the severest struggles with power an honest man ever had; and there are but few in the colony who would have had courage enough to oppose such a weight of authority as was arrayed against him. I remember it made my heart ache when I saw poor Mr. Cooke firmly maintaining the cause for the sake of these poor wretches—dragged up to the courts like a criminal, and every body crying out shame! shame! In my opinion, the colony would suffer a *curse* if they condemned so innocent a person: fortunately, however, Lord Charles repented, for I believe he held Mr. Cooke in high estimation: also, Mr. Cooke is indebted to Greig's free paper, which clearly showed the justice of his case, and in its true colours. It must be a great satisfaction however to Mr. Cooke, after all his troubles, that his return amongst us, which is expected to be soon, will be hailed by every honest and good man.

*Cape Town, March 6, 1826.*

On the arrival of the *Atlas* from China, the Governor invited Captain Hind to Newlands, and it was soon known that he had taken a passage for himself, Lady Charles, and Mr. Peter Brink,—the latter officiated as Deputy Colonial Secretary twice: the first time was after the death of Mr. Alexander; the second, after the dismissal of Colonel Bird, and pending the arrival of Sir Richard Plasket. Lady Charles, it is said, wished to take with her her two infant children, but his Lordship preferred leaving them behind, as a sort of pledge, in the opinion of some, for his return to the colony.

To give éclat to his Lordship's departure, a Mr. Ross, and a Mr. Horack, started the project of a subscription dinner; and the former procured the list to be allowed to remain for signature at the Commercial Hall, where it long remained without a single name being subscribed. Five or six individuals then hired horses, and, on the Sunday preceding the Tuesday on which the dinner was to take place, galloped about Cape Town from morning till night to procure signatures;—in this way they managed to obtain a few; and the names of those who would not sign the paper, were, in many instances, put down for them by the collectors of signatures. This fact becoming known caused a great ferment, and some individuals actually demanded to have their names struck out. Among others, Mr. Maskew's name was thus put down, but he went and indignantly crossed it out himself; at last (putting together the military officers, civil functionaries, and dependents of Government, together with a few merchants who are so situated, that they could not well refuse) about 180 names were collected, *but*, be it spoken to the honour of the Cape merchants, only seven of that body attended; their names are as follows: J. B. Ebdon, the managing director of the new bank; D. Dixon, of whom Lord Charles has bought much wine; H. Ross, whose uniform devotion to authority is well known; G. Thompson, who was going passenger in the same ship with his Excellency, (this gentleman is the late partner to Mr. Launcelot Cooke, that respected and much injured individual, who was so cruelly persecuted at the Cape, for so nobly advocating the cause of the unfortunate *prize negroes* in spite of every danger;) the Chairman, Mr. Harrington, had only lately returned to the colony. The seventh was Mr. J. R. Thomson, who is married to a relation of one of the Government officers, and went to oblige that friend.

The foregoing are all the merchants that could be prevailed on to attend. The whole formed a motley group, and the confusion of Lord Charles

was evident: on no other account would his Excellency have been seen in such company. After dinner the bucellas and champagne excited in every one a desire to display his eloquence, and the Chairman caused much mirth by his rough pleasantry; his situation was evidently new to him. He observed, "his Lordship only wanted *fair play*, and no *favour*."

Sir R. Plasket rose, and gave it as his opinion, that "his Excellency had been judged by *British laws* and *British FEELINGS*!" and not with reference to the *Dutch laws* prevailing in the colony. (Sir Richard forgot to name the fact, that *when it suited* Lord Charles, he governed by "*British laws*.")

His Excellency's health being drank, he rose to return thanks. He said, "he had suffered much, and the thought of leaving them almost overpowered him, but he assured them, that whatever fate awaited him, he would say that some of his happiest hours had been spent among them." The most deafening applause followed this speech. After it had subsided, a Mr. Pugh, a notary, got up and spoke vehemently in praise of Lord Charles Somerset; described the pain every one felt at the near departure of his Excellency; reminded his Lordship of the *many* blessings he had conferred on the colony, (without enumerating *one*;) spoke of the gross calumnies of the "*London Press*" against his Lordship's character. "Yes," said Mr. Pugh, "the liberty of the press, forsooth, is contended for in this colony; for my part, I know not what is meant by the liberty of the press, unless, as is the case *here* with a certain paper, the '*privilege*' of telling lies weekly"—[*Amidst the mingled applause, hisses, coughing, and other noises, which followed this, the speaker sat down.*] Several other persons held forth in their turn; among them, a Dr. Atherstone, (a late correspondent and intimate friend of Mr. Bishop Burnett,) who, in the course of his speech, so glaringly committed *himself* and Lord Charles, as to cause the latter to rise and order his carriage. Dr. Atherstone said, "he had known Mr. Bishop Burnett for some years; he came out in the same vessel; had been in correspondence with him until very recently; and he could declare, on his *honour* and *oath*, that not more than *two-thirds* of the charges against his Excellency were true!" This confession, we may suppose, was unintentional, and is no doubt to be attributed to the wine rather than his wit; however, this avowal, together with the known fact that his Excellency and Atherstone have been very intimate ever since the publication of Mr. Burnett's Petition to the House of Commons, has done no credit to his Lordship for deriving information from *such a source*. Lord Charles, perhaps, felt this; as he instantly rose, ordered his carriage, and left the room, followed by many of the company, several of whom did themselves the honour to take the horses from his carriage, and actually dragged it several hundred yards! Among the worthies who in this way distinguished themselves, are the names of Mr. Oloff Truter, (son of the Chief Justice;) Mr. P. Brink, (his Lordship's chief witness for the defence;) Mr. Horack, (a son-in-law of the Chief Justice,) and a few others.

The dinner is considered any thing but a triumph for his Excellency; after all their exertions, only 180 dined together, nearly 150 of whom were military functionaries, civil officers, and dependents of the Government. The merchants gave up their room, because it had been done before, but almost to a man they refused to give his Excellency a "*bumper*" on his departure. They are suffering too severely from the effects of his administration soon to forget its blessings: when solicited to sign the "*Address*," they asked, "What good has his Excellency performed during the thirteen years he has been ruling over us?—Has he not set his face against every improvement, whether in commerce, science, or literature?" These and similar questions

were asked in vain; very few would sign; at last Mr. Ross hit upon a *man*: he introduced some remarks on the "East India Company's monopoly," and the "Wine trade"; this procured a few signatures, but these, after their utmost exertions, scarcely amounted to 300; a mere nothing out of a population of 30,000; and of those 300, scarcely one was unconnected with Government.

It is true that since it became known that his Excellency must go home and answer for his past conduct, his behaviour has undergone a most astonishing alteration. Latterly affable, easy of access, in fact, quite an altered man; but let him only get back, (which pray God prevent,) and then he will verify what he is said to have once told a gentleman here—"The old lion is not dead; he only sleepeth." If he *should* come back, many have made up their minds to leave the colony; in fact, they have only been waiting to see if he really would go, or they would have gone to England long since.

Our "Council" are not much worth; the greater part of them owe every thing to Lord Charles; and common gratitude demanded an obsequious obedience to his wishes. Most obedient children they have been.

The Commissioners of Inquiry are still here, and now a third is added: we are very anxious to see what good will result from their labours. Mr. Bigge's name stood higher on his arrival among us than it does now.

We are all astonished that no witnesses have been sent for to prove certain charges. Those who profess to be well informed, expect that the witnesses or accusers now in England, are not sufficient to bring home the charges against the noble ex-Governor, but that our Fiscal and some of the legal gentry, together with documents, papers, and records, ought to be forthcoming. Such persons and things, they say, would throw much light on some curious decisions in the lower Courts and Court of Appeals; of which latter, his Excellency was sole judge and jury.

A duel has lately been fought between Major Dundas and Major O'Reilly. Colonel Somerset was the cause of the affair. He had insulted the former Officer, who resented it: Major O'Reilly took Colonel Somerset's part, and a duel was the result.

#### LANGUAGE INSTITUTION IN AID OF THE PROPAGATION OF CHRISTIANITY.

[The discussion, of which the following presents a brief outline, is not only deserving a place in our publication, on account of the importance of the subject, the eminence of the speakers, and the intimate connexion of the question discussed, with the general objects of this work; but also from the light it throws on the kindred question so often debated, concerning the best mode of educating young men destined for the service of the East India Company. As the individuals whose opinions are given in this Report, are among the most distinguished linguists of the present day, both practical and theoretical, travelled and untravelled, we are not without hope that their arguments will make some impression on the rulers of India. There is, however, one objection to the preparatory instruction of cadets in England, that has been stated by the honest ex-President of the Constitutional Association, which we fear their combined authority will not overcome, *viz.*, That a cadetship, being worth a certain sum of money, (say 300*l.*.) if the vested right of giving away these appointments were encumbered with the condition of requiring, in return, twenty or thirty pounds' worth of learning, the marketable

value of this piece of India-House patronage would be so much deteriorated. So, in order that the patronage of twenty-four Directors may be worth as much to them as to their predecessors, young men sent out to exercise command over millions of our Indian subjects, ought not to be compelled to learn their language, or give any proof of acquaintance with their opinions and character! But as with respect to missionaries, there is no patronage in the case; those who would scruple to open their lips at the India House in favour of preparatory instruction, here advocate it with as much boldness as ability.]

*First Annual Meeting of the Language Institution, in Aid of the Propagation of Christianity.*

THIS Meeting was held at the Freemasons' Tavern, on the 28th of April, and was very numerous as well as respectably attended. The Right Honourable Lord Bexley, President of the Institution, was to have taken the Chair; but public business in a Committee of the House of Lords, to which he was obliged to attend, prevented his presence. Sir George Staunton, one of the Vice-Presidents, was in consequence unanimously called to the Chair.

The CHAIRMAN opened the business of the day, by lamenting the absence of their distinguished President on this interesting occasion, which would form an era in the history of the Institution. He solicited their indulgence on account of his having come unprepared, as not expecting to be called on to perform that important duty. In the discharge of it, his first feeling was, that he ought to congratulate them and the Christian world on the formation of such Societies as this, and many others which might be named, for the diffusion of truth, of religion and virtue, among all nations. He regretted, however, that in the praiseworthy efforts which had been made by Bible and other Societies, some had been disposed to think that our zeal had been sometimes without knowledge. We were accused of scattering the Word of God with a liberal hand among the ignorant, without enabling them to appreciate its value; of leading the heathen to the door of the vineyard, without giving them power to enter. The object of the Society now formed, was to do away with this reproach; to give those destined for Christian missions, an accurate knowledge of the various languages and dialects of the people among whom it might be their lot to labour; to qualify them early for the work, even before they left their native country, or, at least, have them so well provided with elementary knowledge, that they should enter upon the field amply prepared for the harvest before them. Turning from the general question to individuals who had eminently signalized themselves in this cause, he lamented the absence of Dr. Morrison from the meeting of this day, which would have been so grateful a spectacle to his ardent and philanthropic mind. From an acquaintance of no less than seventeen years, he was able to bear the highest testimony to his zeal and assiduity in this cause; and the last was not the least service he had rendered it,—his successful efforts for the establishment of this Institution, previous to his departure on his return to China, the scene of his former labours.

THOMAS MYERS, Esq., (of Dartmouth Hill, near Blackheath,) then read an abstract of the Report of the Committee of the Institution, which, on the motion of Sir Thomas Inglis, Bart., M.P., seconded by the Rev. William Dealtry, was ordered to be printed. It stated, that it was observed by some persons deeply interested in the propagation of Christianity, that, though provision had been made for sending forth Missionaries to various countries, and printing and circulating the Sacred Scriptures for their use, no effectual means had yet been adopted for imparting a knowledge of the languages spoken in these countries to the persons who undertake to be their religious instructors. Some of the Missionary Societies possessed seminaries and places of instruction for their students; but in these the opportunities for acquiring Oriental, and other foreign languages, were necessarily limited. The Church Missionary Institution at Islington had indeed the advantage of the great powers and talents of Professor Lee, of Cambridge; but his attend-



ance there was confined to particular seasons of the year; and, upon the whole, it could not be supposed that one instructor, however able, should suffice for the numerous messengers of the Gospel sent out, year after year, from this favoured land, among "all people and nations and tongues." A great want was also felt of an establishment with adequate means for providing proper elementary works on the various languages, preparatory to such instruction; and an Address had consequently been circulated, submitting to the public the views and objects of the founders of this Society. This Address, after adverting to the miraculous gift of tongues conferred on the first preachers of the Gospel, stated that it was the want of a similar command of languages which constituted one of the most formidable impediments to the further diffusion of Christianity at the present day. It was this which deterred many devoted servants of Christ from entering upon a Missionary life; and though others would encounter every obstacle, yet the delay and difficulty experienced in acquiring the language of a foreign country after arriving in it, oppressed more than any thing else the heart of the faithful Missionary, who found himself surrounded by a mass of ignorance which he could not remove. The anguish of heart, the eagerness of solicitude, the closeness of application to the study of the language, combined with the debilitating influence of a tropical climate, had, in some instances, brought to an early grave men whose estimable qualities gave the fairest promise of eminent success. In order to lessen the weight of these accumulated difficulties under which many sunk, might not the elements of the language, it was asked, be acquired before they leave this country, and before they have to struggle with the oppressive influence of a tropical sun? Would not the study of even the rudiments of the language enable them to pursue the study with great advantage during a long voyage, and greatly accelerate the arrival of the period when their career of usefulness might commence? In answer to these questions, it is stated, that able tuition in several important languages of the East may easily be secured in this country; as competent instructors, in a considerable number of them, can at once be obtained. More than this, it is confidently affirmed on the authority of actual experience, that to those who are beginning to learn an Oriental tongue, the tuition of an English instructor who has attained a correct knowledge of the language, is even preferable to that of a Native, and will enable the learner to make a much more rapid progress. The reason of this is, that the teacher of a language is but imperfectly qualified for the office, unless, in addition to his knowledge of the language to be taught, he be acquainted with a language familiar to the pupil, which may serve as a medium of communication between them, by which ideas and explanations may be clearly conveyed. The want of such a medium has been painfully felt by Missionaries in the East, who have had to depend on the aid of Native instructors. But if, on the contrary, an Englishman, who has felt and overcome the difficulties of the acquisition, engage in the work of instructing one of his own countrymen, he is able to point out to his pupil the easiest mode of surmounting these same difficulties, and explain to him, in the clearest and simplest terms, the peculiar structure of the language, with its characteristic idioms. In carrying this plan into effect, great assistance is expected from those Missionaries who have acquired the language of the "heathen" by long residence among them; and the efficiency of such assistance has, we are assured, already been experienced in the rapid progress which Missionaries proceeding to the East have made under the instruction of others proceeding to that quarter. In support of the same opinion, an appeal is made to the example of the East India Company, which has not only approved, but acted upon the same principle for a considerable number of years, by giving those destined for its civil service elementary instruction in the languages of India at Haileybury College. In aid of such preparatory instruction, it is considered that the services of Native teachers would be highly desirable, when qualified persons can be found for the undertaking. And lastly, it is proposed that such a body of information should gradually be collected concerning the manners, customs, and opinions of the unconverted tribes of mankind, as may

enable the Missionary, when qualified by a course of lectures, to enter upon the task of converting them, with a degree of intelligence which he could not otherwise have acquired, and which may both save him from errors and greatly facilitate his labours. Though the primary object of the Institution is to aid in the propagation of Christianity, its advantages are to be open, under certain regulations, to all who concur in its object, and to all Missionaries of every denomination, without any reference to points of doctrine or discipline. As soon as this plan was matured, two eminent Oriental scholars, the Rev. Dr. Morrison and the Rev. Henry Townley, offered their gratuitous assistance; and in December last, they accordingly commenced a course of lectures, the former on the Chinese, and the latter on the Bengallee language, which were continued for the space of three months. Since the beginning of February, Mr. Johnson likewise, connected with the Halleybury College, has given his gratuitous attendance to students engaged in the study of the Sanscrit and Arabic languages. With similar liberality, in addition to his other important services, Dr. Morrison has deposited in the house of the Institution his extensive Chinese library, together with an interesting and unique collection of curiosities, illustrative of the costume and domestic conveniences of the inhabitants of China. The Report, lastly, gave a statement of the funds of the Institution, by which it appeared, that the annual subscriptions did not yet amount to one-fourth of the expenditure, although that was inconsiderable; and that the debts outstanding amounted to 200*l.*, while the cash in hand was only 55*l.*

The Report being read, the Rev. Professor LEE rose to move the second Resolution. He was of opinion that the rudiments of any foreign language could be acquired as well, and even *better*, in this country than any where else, even where it is currently spoken. And the reasons were, first, the difficulty of understanding a Native teacher before you know something of his language; and that something therefore would, at all events, better be acquired first from one of your own countrymen. Secondly, the difficulty of acquiring the technicalities of grammar in the Oriental tongues, in which they are so much more intricate and perplexing, especially to beginners, who very imperfectly understand these languages. He himself knew an instance of a gentleman who, with all his industry, and the aid of Native teachers in India, took twelve months to acquire the syllabication of the Sanscrit, though the same thing might, under a proper system, be acquired in England in a few weeks. Thirdly, a more rapid progress could be made here, from philology and the philosophy of language being better understood in England, where a better mode of teaching was consequently practised. And so many persons from abroad had now brought home the true pronunciation of the Oriental tongues to this country, that no difficulty need any longer be felt on that head. Here also the climate is favourable to a vigorous prosecution of study, as much as that of India is against it. Here, where copies of every useful work can soon be multiplied by the press, the diligent student has extensive libraries at command; whereas, abroad, books are thinly scattered, and difficult to reach. Impressed with these convictions, he felt assured that if this Institution were powerfully supported, it would be an important instrument for the propagation of Christianity, and that it would also give a powerful stimulus to the diffusion of Oriental literature, now extending so widely in this country; on which account he could not but think that the Institution had sprung up at the very best period of time for ensuring its success. He concluded by a motion to the following effect: "That this Meeting, impressed with a sense of the importance and extent of the objects embraced by the Institution, feels the necessity of active exertion in its behalf, to obtain the co-operation of men of talent and learning, and to raise the funds necessary for its service." This Resolution was seconded by the Rev. George Burder, and carried unanimously.

The Right Hon. Lord CALTHORPE then moved, "That the thanks of this meeting be presented to the Right Hon. Lord Bexley, for his kind and prompt acceptance of the office of President of the Institution."

W. H. TRANT, Esq., M. P., in rising to second this resolution, said he was glad to see a family which had derived so much of its importance from its connexion with India, advocating an Institution so well calculated to promote the improvement of that country. He recollected, that when he was destined for India, nearly thirty years ago, he put himself under the tuition of the only person he could then find in this metropolis to give him any instruction in the language of the people among whom he was to live. When he had acquired the mere elements, his instructor, though the most competent, or rather the only competent teacher to be had, informed him that he could not teach him any thing more, as he (Mr. Trant) knew now quite as much of the principles of the language as himself. The case, he was happy to say, was now much altered; and many persons could be found in London: capable to teach the languages of India. Notwithstanding, if this Institution should be in need of personal assistance, he made a free tender of his services, and would with much pleasure afford them, to give instruction in the language of the East, which from long practice during many years, had become quite as familiar to him as his own. In making this offer, he strongly felt the great importance of young men about to proceed to India being made acquainted with the languages, customs and opinions, of the people among whom they are going, that they may not, from ignorance, shock their prejudices, outrage their feelings, or commit any of those excesses or improprieties, which, with a more perfect knowledge of their character and of their speech, would be avoided. He was a great advocate for discreet conduct in Europeans resident in India, from his experience of the people, and intimate acquaintance with the nature of the Government, and the foundation on which our power rested. But discretion could never be expected from ignorance; a source of evil which such an institution as this was eminently calculated to remove.

The Rev. HENRY TOWNLEY then addressed the meeting, in an eloquent and impressive speech, strongly inculcating the advantages of persons destined for India being enabled to acquire a knowledge of the Oriental languages in this country, previous to their departure. With respect to pronunciation, and the difficulties a Missionary experiences in landing in the country, he mentioned that when he was bending his thoughts Eastward, eight or nine years ago, he inquired for some one in this vast metropolis capable of teaching him. Unfortunately, from not possessing better information, he was set upon the study of the wrong language; and though he travelled a great distance to find a person qualified to teach him the right one, he suffered from the disappointment for years afterwards—nay, he might say, he groaned under it to this very hour. He would offer a few remarks, from personal observation, on the Native teachers or pundits in India. The Brahmins, who are had recourse to for this purpose usually, take no care whatever to teach their pupils properly. To flatter them, and render themselves agreeable by their complaisance, so as to retain their situations, and draw their salaries, is the object of these obsequious teachers. They would rather applaud their pupil in an error, than contradict or correct him; so that to make sure of them doing their duty faithfully, it is necessary to err occasionally on purpose, in order to shame them if they do not correct the mistake. These were the kind of difficulties with which Missionaries had to struggle, who went abroad unprovided with the instrument of communicating their thoughts to the people. But this Institution would form a new era in the study of the languages of the heathen. This day would be to them, he hoped, a little Pentecost, as if cloven tongues of fire had again descended upon the preachers of the faith. For we must not judge of it by its apparently feeble beginnings, but wait till it has time to arrive at maturity; in the same manner as we must not judge of the produce of the acorn by the growth of a few weeks, but when the tender plant has been for many years cherished by the warmth of summer, and watered with the dews of heaven, we then see the stately oak the glory of the forest. The Rev. Gentleman proceeded to give some remarkable instances which had lately occurred of the advantages of studying the Eastern languages in this country. Letters had been received from Bengal, written in October last,

respecting Mr. and Miss Befard, in which the other Missionaries, who are the writers, say that their knowledge of the languages had completely astonished all of them. Such was the proficiency of these two individuals, that in two months after their arrival in the country, they were able to open schools for instructing Native children. Thus they were able almost immediately to turn their talents to account, instead of wasting a long period in that climate, acquiring the proper qualifications. But if they had not been taught here previous to their departure, on their arrival in India, they would have found themselves afflicted with three great diseases—deafness, dumbness, blindness; or, what is equivalent to it, they could not have understood what they heard; they could not have deciphered what they saw, when Native books were presented to them; and they could not have spoken so as to be understood by the people they went to teach. Instead of teaching, they would have consumed their time, and wasted their health, in learning what they might have learnt at home. Among other advantages of studying the Oriental languages in Europe, it inspired the minds of the students with an ardent desire to visit the countries where they are spoken, and commune with the people. Had not the Tamil language been taught in Germany, the pious labours of Swartz would have been lost to the world. Young men felt their hearts gladdened, and encouraged to go forth, by knowing that they possessed the elements of the language, and would be able to address a Native audience. Besides which, this preparatory instruction would be the best test of the ability of the candidates for missions, both to enable themselves and others to judge beforehand of their qualifications for the task. He concluded by moving, “That Joseph Butterworth, Esq. M. P., be added to the list of Vice-Presidents.”

The Rev. J. D. PEARSON, from Chinsurah, then addressed the meeting. Among other things, he remarked, that Britain's Bible Society was her right-hand, and this Institution would be her tongue, with which she would speak to the nations.

Several votes of thanks were then passed to various individuals, concluding with one to Sir George T. Staunton, Bart., M. P., for the valuable support afforded by him to the Institution, by presiding on the present occasion.

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We subjoin the following as the most important of the laws and regulations of the Institution :—

1st. That all Missionaries and Missionary Students be admitted gratuitously to attend the Lectures delivered at this Institution, upon the recommendation of the Societies to which they respectively belong.

2d. That all Clergymen, and other Ministers and Students for the Ministry, be admitted to the Lectures gratuitously.

3d. In all the Lectures delivered by the Teachers they shall confine themselves strictly to the elucidation of the several languages, with illustrations, as opportunities may occur, of the state of the people, in respect to their manners, customs, or opinions; but in no case are they to touch on points of Christian doctrine or discipline, on which different sentiments prevail among Christians; as it is the design of the Society to afford its assistance to all persons who concur in its object, without subjecting them to any kind of compromise of their own views and principles.

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## MEMORIAL OF LAUNCELOT COOKE.

TO THE RIGHT HONOURABLE THE LORDS COMMISSIONERS OF HIS  
MAJESTY'S TREASURY.

*The Memorial of Launcelot Cooke, of Cape Town, in the Cape of Good Hope,  
Merchant;*

RESPECTFULLY SHEWETH,

That, by an Act of Parliament made and passed in the forty-seventh year of the reign of his late Majesty King George the Third, intituled, 'An Act for the Abolition of the Slave Trade,' it was enacted, that all subjects, or inhabitants of Africa, unlawfully carried or imported as slaves into His Majesty's colonies, should be seized, prosecuted, and forfeited in the like manner and form as goods and merchandizes unlawfully imported; and that, after the condemnation thereof, such subjects or inhabitants should be bound as apprentices for a term not exceeding fourteen years, on such conditions as his Majesty, by an Order in Council, might direct or appoint. And it was further enacted, that, "Any indenture of apprenticeship, duly made and executed by any person or persons to be for that purpose appointed by any such Order in Council, for any term not exceeding fourteen years, should be of the same force and effect as if the party thereby bound an apprentice had himself or herself, when of full age, upon good consideration, duly executed the same."

And that his Majesty, the said King George the Third, did, by an Order in Council, afterwards direct, that all such subjects or natives of Africa, so seized, forfeited, and condemned, should be placed out as apprentices by the Collector of Customs.

Also that in or about the year 1810, the French packet, *Le Victor*, trading from St. Denis to Port Louis, being captured by the English brig *Race Horse*, one Jean Elle was found on board thereof, who stated that he was a free man of colour, a native of Bourbon, employed as a seaman on board such packet, but, being unable to speak English or Dutch, and the inhabitants of the Cape ignorant of the patois of Bourbon, he could not make himself understood, and was ultimately placed out as an apprentice, by Charles Blair, Esquire, the Collector of Customs at this port. And, after having served two several masters some years, he was removed by the Collector of Customs, and placed with Mr. Samuel Murray, who hired him to your Memorialist's establishment nearly six years, at the rate of thirty-five rix dollars *per mensem*; when, at the death of the said Samuel Murray, the said Jean Elle requested your Memorialist to permit him to continue in his service, alleging that he had only a very short time to serve of his original apprenticeship, to which your Memorialist consented, from the good opinion he entertained of the man, acquired during his long and faithful service; and he paid his wages to him, until on or about the 21st. day of November last, when he received an order from Mr. Blair to deliver up Jean Elle to William Wilberforce Bird, Esq., or his order, accompanied by a note from the said Mr. Bird, who is the Comptroller of Customs, requiring the man to be sent to the Custom-House.

That he immediately informed the said Jean Elle of such demand, and requested him to go there as desired; but on his representing that he had so long served your Memorialist with fidelity and industry, and hoped he should not be abandoned at the close of his servitude, your Memorialist replied, that though he was unwilling to force him away, he could not disobey the peremptory order of the Collector of Customs, and requested the man to go as desired; yet he, nevertheless, refused to do so for some days, until he found he was destined to serve one H. M. Pigou, Esq., the son-in-law of Mr. Wilberforce Bird, the Comptroller of Customs, and that the police were searching to apprehend him for disobedience of orders, when he instantly repaired to the Custom-House.

That a few days before Jean Elle could be prevailed on to leave the employ of Memorialist and his co-partner, Mr. Pigou called at their house, where, witnessing Jean Elle's reluctance to leave them, he said, if another cook could be recommended to him, he was willing the man should remain where he was; whereupon, after consulting a gentleman in the law, many years acquainted with the arrangements made by Mr. Blair on similar occasions, your Memorialist subsequently met Mr. Pigou, and stated that he was willing to meet his proposal, and pay the wages of any cook he might hire, when, pretending to be offended, he rudely left your Memorialist without an answer.

That whilst Jean Elle was waiting at the Custom-House, your Memorialist, from a wish never to offend or oppose the constituted authorities of his Majesty, and supposing, from the frequent repetition of a similar interference by Mr. Blair, that he was empowered by law so to do, repaired to the Custom-House, where he saw Mr. Blair on horseback, in company with Mr. Wilberforce Bird, and accosted him respectfully, in the presence of Mr. Roberts, the head clerk in the establishment of Memorialist, for the purpose of informing him that the man's objection to leave his employ was the cause of the trifling delay; whereon Mr. Blair, in the most violent, loud, and insulting manner, holding up his whip or stick in a threatening attitude, said to your Memorialist, "D—— you, Sir, hold your tongue, or by G—— I'll knock you down." "G—— d—— you, Sir, don't speak a word, or I'll knock you down." "If you had said so much to me as you did to my friend Mr. Pigou, I would have blown your brains out, d—— and b—— you, I would, you scoundrel." And, as he rode away, he called your Memorialist "a d——d son of a b——"; and Mr. Wilberforce Bird, who was in company with Mr. Blair at the commencement of your Memorialist's attempt to speak, rode off the moment he perceived Mr. Blair under the natural influence of his temper, that he might neither restrain nor be called to bear witness of his brother officer's insolence.

That your Memorialist, having no other wish than to receive such an apology as his Excellency the Governor might think fair, complained of this outrage, when Lord Charles Somerset, ever anxious to discharge his duty with an impartiality befitting the representative of his Majesty, applied to the Collector of Customs; and, as might have been expected, a person capable of descending to such abusive expressions, would be sure to contradict them. Mr. Blair did so; though he pretended to glory in one part of his rudeness, as communicated by his Lordship with the enclosure from Mr. Blair.

Your Memorialist humbly submits, that this vain-glorious boast of Mr. Blair carries its own refutation on its face; for had Memorialist insulted Mr. Pigou, as is pretended, it is clear that he was either able to resent it himself, or unworthy the aid of a proxy.

However, as your Memorialist conceives that the *ipse dixit* of Mr. Blair cannot be set against the oath of himself and Mr. Roberts, he annexes depositions taken before a notary, agreeably to the laws of this colony, and also one of Jean Elle, on which he confidently appeals to your Lordships for redress.

Your Memorialist further respectfully submits, that when this man was once placed as an apprentice, the legal right of interference in the Collector of Customs ceased, as in the case of a parish apprentice in England, where the master has a chattel interest that devolves on his executors, and therefore, as your servant cannot have been actuated by a sense of duty, feels it imperious on him to draw your Lordships' attention to the fact of his *having in the first instance put this man out as an apprentice*, he being a sailor, cook, and, as he has always declared, prisoner of war. If Mr. Blair had been influenced by the benevolent spirit of the Abolition Act, (and Jean Elle been a slave in reality,) when he found him a man near thirty years of age, so good satisfied the law by placing him in some family for a few months, instead of fourteen years; but this would not satisfy the necessities or the wishes of Mr. Blair, who acquired consequence and credit by disposing of so many slaves of the most unfortunate order; and if your Lordships would afford your pro-

tection against the future oppressions of the officers of customs, several cases should appear before you of Mr. Blair's privity to such contracts as that offered to Mr. Pigou, at which he expresses such indignation; to contracts even more corrupt; some wherein, where persons have pressed him for payment of his debts, he has promised them greater advantages, which has ended in donations of miserable creatures, thus abandoned to those whom he dare not assail—sacrifices to his necessities, victims of his oppressive partialities. Hearing of his insolence to your Memorialist, several persons in Cape Town, of the greatest respectability, highly indignant at such demeanour, came to Memorialist with accounts of the manner in which he had disposed of negroes to themselves, and are now ready to make oath of these facts; but your Memorialist, unwilling to expose them to the powerful vengeance of the Custom-house, wishes first to obtain an assurance of your Lordships' protection towards them. The English Senate intended to have been the friend and protector of the wretched negro; but in this case it has been the greatest misfortune. Here is a man well able to earn thirty-five rix-dollars *per mensem*, as a cook, who, on pretence of being taught a business, is bound, by the ruthless cupidity of his Majesty's servants, to serve the most valuable portion of his life to the favourites of the Collector of Customs at Cape Town. Had Jean Elle been a slave in fact, and remained so, after so valuable a portion of his life spent in the service of a master, the law would have compelled that master to support him in his old age; but here is a man serving the prime of a valuable life for the advantage of those, who, in old age, will desert him to all the miseries of want.

Your Lordships will feel how inconsistent is such conduct with the philanthropy that abolished slave dealing.

Your Lordships will feel how wretched is the state of that slave, who, under the benign indulgence and protection of Mr. Blair, is cursed with liberty at the end of a cruel, abject, and unprofitable slavery of fourteen years—left to starve in the decline of life, after having worn away his strength by the goadings of those who have no interest (like the real slave proprietor) in well-treating these poor people, to make their old age more vigorous.

Your Lordships will feel what sentiment actuated Mr. Blair, when, on a very recent occasion, one William Cousins, who had served him fourteen years, and had been a voyage with him to England, on applying for a certificate of the expiration of his apprenticeship, was cruelly told he should never have it unless he would return to his service.

Your Lordships will feel what is the general tenor of Mr. Blair's character, his humanity, his mildness, and his justice, when you are informed that this poor man preferred all the horrors of starvation rather than return to a master who had made him so miserable; and such must have been his fate, so great the terror of the Collector of Customs, had not the benevolence of one of your Memorialist's acquaintance prompted him, in defiance of the maledictions and denunciations of this great man, to take the poor negro for his servant.

Your Lordships will feel and appreciate the spirit that urged Mr. Blair, when he saw an unhappy negro, who had served your Memorialist, for the benefit of Mr. Samuel Murray, above six years, anxiously soliciting to be continued in the same employ, so callously rejecting every solicitation, although the man becomes free again on the 1st of March next.

Your Lordships will feel whether it was an amiable thing in a person intrusted with the exercise of his Majesty's benevolence, so relentlessly to separate a master and a servant whom he saw happy and satisfied in so long a connexion.

And your Lordships will feel and judge, whether the violence of his language to Memorialist, the indecency of his expression in the letter to the Governor, and the unfairness of his conduct in taking Jean Elle away from your Memorialist, in violation of every principle of humanity towards the poor man, merely to supply Mr. Bird's son-in-law with a cook, was befitting him who holds an important situation under the King—in which equanimity of temper, humanity, disinterestedness, and benevolence of heart, ought to shine in a superlative degree.

Your Memorialist thinks it due to himself to say, that he is not impelled to this complaint from a desire to oppose the servants of his Majesty, or from a vindictive spirit of revenge; for although through life no one has possessed a warmer or a better spirit of loyalty, or a more forgiving disposition towards those who have injured or insulted him, yet he owes it to his own rank in society, to call from your Lordships for justice on Mr. Blair, who has thus trampled on all the decencies of life; and he does this more confidently, knowing that you are most able and most willing to screen gentlemen from the insolence of office.

And he sincerely assures your Lordships, that whatever may be your decision, with that decision he will rest most perfectly satisfied.

Wherefore he prays, that your Lordships will be pleased to cause an inquiry to be made into the conduct of the Collector of the Customs towards him, and judge thereon as you may deem meet.

And he will ever pray.

(Signed)

LAUNCELOT COOKE.

22d January, 1824.

LETTER OF MR. MERITON.

TO NOWROJEE JAMSETJEE, HEAD BUILDER IN THE BOMBAY DOCK-YARD.

DEAR SIR,—As I am now retiring from the important situation that I have lately filled, as head of the Bombay marine, I cannot quit that station without expressing my sentiments on the subject of its Dock-yard.

I take occasion to remark, that I found the building establishment under the management of your late venerable and highly respectable father, Jamsetjee Bomanjee.

It would be superfluous in me to dictate on the qualifications of that venerable Architect, as he has sent forth sufficient instances of his skill in naval construction to make any remark unnecessary. But it remains for me to bear testimony of his unremitting zeal and attention in performing those duties which occurred under my superintendence, and I beseech you to believe, that I hold his character in grateful remembrance.

The loss of this excellent man would have been most severely felt, had not you been left to supply his place; and I hold it due to the department, to the public, and to yourself, to declare, that the Bombay Dock yard has lost nothing of its celebrity, or its excellence, in the construction of those ships which have been sent forth under your management; nor has your zeal and ability been less conspicuous than your cordiality of operation, while under my superintendence.

The following is a list of vessels constructed in the Bombay Dock-yard, during my administration in the marine; viz.

5	Line of battle ships,	}	For his Majesty's navy,
4	Frigates,		
4	Sloops of war,		
3	Cruizers,	}	For the East India Company,
10	Pilot brigs,		
2	Light vessels,		
1	Large Indiaman,		
and 4	Merchant ships,		

will better testify the importance of the Bombay Dock-yard establishment than any arguments of mine; and it is with great pleasure I learn, that orders have been received for the continuance of the construction of ships for his



Majesty's navy; an event upon which I sincerely congratulate yourself and the whole of the building establishment.

I cannot take leave of this subject without expressing my satisfaction with the conduct of the subordinate officers of your department; and it will be a pleasurable part of my duty to bring the same to the notice of Government.

In conclusion, I beseech you to accept my best wishes for your health and prosperity.

Believe me, dear Sir, yours very faithfully,

(Signed)

HENRY MERITON,  
Superintendent of the Marine.

Bombay, 10th Nov. 1825.

#### CASE OF THE RANEES OF BURDWAN.<sup>1</sup>

TO HOLT M'KENZIE, ESQ. SECRETARY TO THE GOVERNMENT IN THE  
TERRITORIAL DEPARTMENT OF BENGAL.

SIR,—We entreat you to confer on us the favour of laying before the Right Honourable the Governor-General in Council the following representation on our behalf:

Our deceased husband, the late Muharajah Prutapchunder, the son of the Muharajah Tejchunder, of Burdwan, died on the 21st of Pose, 1227, corresponding with the 3d of January 1821, leaving us, his two widows, the sole heirs of his property, moveable and immoveable, as prescribed by the Hindoo law of inheritance. Our late husband was, in his life-time, in possession of very large estates, partly given him by his grandmother, and partly by his father, as well as estates bought by himself. About seven years before the death of our husband, his father, becoming old, transferred to him, by a deed of gift, all the landed property which had belonged to him, either by purchase or in virtue of long possession; and had the same registered in the name of our husband in the revenue and judicial records. But, from the indulgence of youthful passions, he, for some years, paid little attention to the management of his estates, and had chiefly left them still to the care of his father, the only parent and friend that he had in the world; receiving himself, however, annually the surplus produce in virtue of his right as proprietor.

For upwards of two years before his decease, our late husband not only received, as usual, the surplus of his estate, but managed personally the whole affairs of the zumeendaries, attended the judicial courts and the collector's office; and was called upon to answer, and held responsible by the revenue and judicial authorities, for whatever happened on his lands. Besides the authenticated vouchers and indisputable evidences, which positively prove that our late husband was the only proprietor and actual possessor of those estates long before his demise, Mr. J. R. Hutchinson, the Judge and Magistrate of Burdwan, Mr. Edmund Molony, then Register of the said district, the Honourable Mr. Elliot, the late Collector, and Mr. J. Coulter, the medical gentleman, and also all the military gentlemen of the station, were eye-witnesses of the fact; in addition to which, it is well known that Mr. Secretary Prinsep, during the administration of the Marquis of Hastings, introduced our husband to his Lordship as the then Rajah of Burdwan; and his Lordship conferred on him the honorary dress due only to the actual Rajah and not to his son; the same honours being also

<sup>1</sup> Referred to in the article on the Burning of Hindoo Widows, in a preceding Number, at p. 19, of Vol. VIII, for January 1826.

paid to our husband by the Nuwab of Moorshedabad; all combining to prove that he was generally known and publicly acknowledged on all sides to be the Rajah in possession, not merely in expectancy.

On his death, Mr. Elliot, then Collector of the district, with the sanction of the Board of Revenue, put us, his widows, in possession of his landed property, as his legal successors, and registered it in our name; and the Judge of the district held his proceedings accordingly on the 6th of April 1821, ordering the tenants of the estates to pay to us the revenue due from them. But Muharajah Tejchunder, our late husband's father, having applied to Mr. Henry Oakley, the Judge of the district of Hoogley, (in which some portion of lands lay,) to put him in possession of the estates left by our deceased husband, this gentleman, upon a summary investigation, dispossessed us of the landed property situated within his jurisdiction, in direct opposition to the public records, and to the decision of the Board of Revenue.

The chief ground on which Mr. Oakley founded this summary decision, dated 30th of April 1821, was certain evidence given by four servants and dependants of Muharajah Tejchunder, who pretended that he was real proprietor, and that our husband was only nominal proprietor, and not in possession of those estates. Although it is well known that the evidence of such persons cannot be depended on, when it is given in such a case in favour of their patron, who has millions of money at his disposal, and is ready to bestow any sum on those who will assist him in attaining his object: yet this sort of testimony was here received in preference to all authenticated documentary evidence produced on our behalf, though supported by the unquestionable testimony of public officers of Government.

Upon our applying for the protection of the Courts of Appeal against the summary decision of the Judge of Hoogley, to our grievous disappointment, without any further inquiry into the real merits of the case, they confirmed the orders passed by Mr. Oakley. But Mr. Hutchinson, the Judge of Burdwan, a gentleman of first-rate talents, profoundly skilled in the native languages, manners, and laws, and respected by all that know him, as of the most unimpeachable character, being called upon to decide the very same question, with respect to the part of the landed property in his district, concurred in the opinion of the Board of Revenue, that we, the widows of the deceased, had a clear and undoubted right to the estates as the sole heirs of our deceased husband, proved to be real proprietor and actual possessor of the estates at the time of his death. However, the Courts of Appeal, in conformity with their former opinion given on the case referred to them from the Magistrate of Hoogley, reversed the decision of Mr. Hutchinson. In this manner, after such a slight consideration of the case, we were deprived of our whole landed property, producing to Government an annual revenue to the amount of twenty lacs of rupees and upwards. Above all, we were, in the same summary manner, deprived of our estate of Gungamonohurpoor, although it stood in the name of one of us in the public records as purchased by us, and was thus secured by every means thought most effectual to render the right of property inviolable; yet, at the request of Muharajah Tejchunder, our name, while we were alive, was struck out of the public register and his inserted in its stead, by the orders of Mr. Oakley, without any regular suit having been preferred against us; and to our great sorrow and surprise, this act of Mr. Oakley was confirmed by the Courts of Appeal.

The morning after our husband's death, when we were plunged into the deepest distress by this event, our father-in-law, Muharajah Tejchunder, taking advantage of our afflicted and helpless condition, came with his people, and intruding into our private apartments, carried off from us our

jewels, with every thing else of value; and also completely plundering the private apartments that had been occupied by our husband, bore away furniture, cash, papers, and almost every thing that could be found there; and whatever property was left in the outer part of the house he put under his own lock and key. About the same time Puranchunder Baboo, brother-in-law of Muharajah Tejchunder, acting in concert with him, seized upon all the jewels, and other valuable goods, and stock of various kinds found in other parts of the premises, and sold them, without asking our consent, or rendering us any account for the same; of which act of violence Mr. Clermont and Mr. Flannel, European servants of our late husband, and many others, were eye-witnesses. Soon after these depredations, we complained of them to the Magistrate, who, however, referred the matter to Government; but, although sanguine in our expectations that the public authorities would protect distressed and forlorn widows from open oppression and cruelty, we have not yet, after a lapse of three years and upwards, been able to find any redress. By stripping us, as above stated, of all our property, real and personal, our father-in-law not only deprived us of the means of obtaining justice, but reduced us to a state of absolute poverty, and obliged us to subsist on the charity of our relatives.

In this state of distress we endeavoured to relieve our necessities by requiring Messrs. Palmer and Co., and Messrs. Colvin and Co., agents, and Mr. T. Plowden, to make payment to us of certain sums that had been lent to them by our late husband. But our father-in-law, the Rajah Tejchunder, not satisfied with having reduced us to the greatest distress, by seizing on all other property belonging to us, wished to lay hold of these sums also, and thereby leave us completely destitute of every means of existence. In order to gain this object, he preferred suits in the Supreme Court at Calcutta, from which he might appeal to England, knowing that it must be impossible for persons in the unfortunate situation to which he has reduced us to support the immense expense attending such a litigation. The necessary consequence has been, that the friends who, from motives of compassion, were desirous of assisting us to seek justice, now foreseeing that to prosecute the matter further would involve them in enormous expenses, which they cannot support under such discouraging circumstances, have relinquished the undertaking; thence no hope remains to us of obtaining legal redress.

As a further means of driving us to utter despair, so that existence itself might become to us a burthen, every time the Rajah Tejchunder gained a summary decree in his favour, in the height of his exultation for the advantage thus obtained over us, he has encouraged his dependants to commit upon us the most cruel outrages, by filling the district of Burdwan with obscene songs, grossly insulting to our honour, and degrading us, his own daughters, in the eyes of the people; which disgraceful outrages have been reported to the Magistrate, and are well known to all the European gentlemen in that part of the country.

When the Judge of Hoogley, and Judges of the Courts of Appeal, and Sudder Dewanee, thought proper, by a summary decree, to deprive us of property to such vast amount, their legal knowledge or humanity might have suggested to them to make provision in the same summary way, that we should have left to us at least the means of keeping in life, which even the Hindoo law is never so cruel as to deny to poor widows. This being withheld, the wives of a Rajah, who was in the habit of spending a quarter of a lac of rupees every month, are reduced to such necessities, that they would be glad to barter all they possess in the world for a few hundred rupees, towards the subsistence of themselves and dependants.

During our husband's lifetime we were covered with diamonds and jewels of every description, and in the enjoyment of every species of luxury and princely grandeur belonging to females of the first family throughout the provinces of Behar, Orissa, and Bengal; but, immediately after his death, we are not only stripped of all our ornaments and comforts, but reduced to absolute beggary—depending, for the pittance necessary to support life, on the will of an unfeeling father-in-law, who has done every thing to cover us with infamy, and render us wretched in that state of rigid seclusion to which we are perpetually condemned. While such is the miserable fate of Indian females, of even the highest rank, having the misfortune to survive their husbands, with what feelings of dismay must women of humbler circumstances look forward to the period when the death of their betrothed shall leave them thus exposed to the suffering and persecution of widowhood? To whom shall they look for relief when persons so far their superiors despair of finding protection? And can Europeans, who, we have heard, blame such as burn themselves with the bodies of their husbands, any longer be surprised that widows are driven to seek death as their only refuge from the miseries of an existence devoted to every species of suffering which avarice and cruelty can inflict upon them?

Believing that a case of such hardship requires only to be truly stated, in order to move the compassion of a humane and just Government, we hereby solicit the benevolent consideration of his Lordship in Council; and humbly pray that, to preserve us from the danger of starvation, the Collector of Burdwan may be directed to allow us monthly a sufficient sum for our maintenance, until such time as we can obtain part of our property from our father-in-law by decision of a judicial tribunal; we engaging then to repay the same with our most grateful acknowledgment for such an act of beneficence worthy of the high character of the British nation.—We are, Sir, your most obedient humble servants,

Attested by the Family { ANUNDO COOMAREE.  
Seals of { PEEAREE COOMAREE.

*Burdwan, 21st June, 1824.*

NOTE.

By accounts from Bengal received with the foregoing document, we learn that Mr. Secretary M'Kenzie having presented the above Petition to the Government, they took no notice of it whatever; and the poor widows being reduced to complete despair of obtaining any redress, threw themselves on the mercy of their unfeeling father-in-law, the Rajah, who agreed to allow them 600 rupees per month each for their subsistence,—a sum hardly amounting to a hundredth part of the monthly value of the estates to which they are legally entitled, which would sell at about five crores of rupees, (five millions sterling.) Even this miserable pittance there was little probability of their being able to obtain from him, unless he had been frightened at the time by the report that Mr. Charles Reed, celebrated as a conductor of arduous legal prosecutions, was going to take up the cause of these helpless women; which, however, was abandoned by all from the difficulties attending it, in contending against a powerful Rajah, as justice is now administered. To make the case worse, the English law stepped in to add one of its absurdities to the oppression of the Hindoo widows. A person of talent and property, who could have taken up their cause and prosecuted it to a successful issue, was threatened by the Advocate-General with an action of barretty; that is, we believe an action to inflict punishment on any one who shall enter into a contract with an individual who is defrauded and ruined, to assist him or her in obtaining justice! This is the perfection of human reason!

## DEBATE AT THE EAST INDIA HOUSE.

*East India House, May 5.*

THIS day a special General Court of Proprietors was held, for the purpose of having laid before them Copies of a Correspondence between the Honourable Commissioners of the Board of Control, and the Lords of the Admiralty, as to the expediency of augmenting the naval force in the service of the East India Company, for the better protection of the Company's possessions; and also for the purpose of having submitted to them the draft of a Bill now in progress through Parliament, in pursuance of such correspondence, and which provided, that the expense of such additional force should be defrayed by the Company.

The Correspondence and Bill having been read :

The CHAIRMAN (Sir G. A. ROBINSON, Bart.) observed, that the Correspondence which had just been read sufficiently explained the arrangements made by the Court of Directors with Government, and explained the principles on which the Bill now before Parliament had been framed. The expenses of any measure peculiarly calculated for the protection of the territorial possessions of the East India Company, undoubtedly ought to be defrayed by the Company; for to charge the British public with the expense of an additional force for that object, would be unreasonable and unjust. (1) This was the view taken of the subject by the Court of Directors, in the arrangements they had entered into with his Majesty's Government. The hon. Chairman then proposed the resolution—"That this Court do concur in and approve of the Bill and Correspondence, which had been read."

Dr. GILCHRIST hoped he might be permitted to ask one question, notwithstanding the many attempts made in this Court to gag him on former occasions. The question before them was one of very serious importance, and required some consideration on the part of the Proprietors before they proceeded to give their votes upon it. He had come early this morning to the room appropriated to the use of the Proprietors, in order that he might gain some previous knowledge of the subject, but he was surprised to find that there were no copies of the Bill or the Correspondence to be procured. Now, in his idea, it was neither just nor reasonable to expect a man to come to a decision on any measure, until he had informed himself of its nature and tendency. He must, however, bow to the usage of the Court of Directors, if such was their usage. Uninformed as he therefore was on the subject, it did, however, appear strange to him, that the Bombay marine, if it was in an efficient state, should not be employed, instead of his Majesty's ships. The Burmese had no seventy-fours yet; they had not a vessel that mounted ten guns. He therefore thought that the marine force at Bombay was quite powerful enough to cope with such an enemy as the Burmese, and that the Company might be saved the great additional expense of maintaining a part of his Majesty's navy in their dominions. He begged leave, in conclusion, to ask, whether the Proprietors had not a right to see a copy of such Papers as had been read, before they were called upon to give their vote, approving their contents?

The CHAIRMAN, in reply to the hon. Proprietor, stated that whenever Papers

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(1) And yet the British public is already, in effect, charged, and will be soon directly and avowedly charged, with all the burthens which the additional debt of India will lay on the shoulders of the nation. Is it not quite as "unreasonable and unjust," that the nation should be taxed to support a monopoly of tea, and to maintain the costly Indiamen engaged in the trade with China, as to support a naval force in the same quarter?

were called for by a vote of the Court, they were always to be found in the room appropriated to the Proprietors; but that as to Papers which were not so called for, it was not customary to place them in that room, or to submit them to the inspection of the Proprietors.

Dr. GILCHRIST considered such a course very absurd. He repeated his opinion respecting the Bombay marine establishment, and said, it was evidently unreasonable that Government should be saddled with any charge for the protection of the Company's possessions. It happened unfortunately, however, that the army and navy in India were not merely employed for the protection of the Company's territory, but were too often engaged in endeavouring to extend it, particularly on the side next to China. He believed that after all that had been said, Lord Amherst might be found to be less to blame, with respect to the Burmese war, than was by some supposed. He might have been favoured with instructions from quarters unknown even to the Court of Directors, directing him to act as he had done. He would only detain the Court to ask one other question. Lord Amherst appeared lately to have adopted a new line of conduct, and had acted with a degree of liberality which almost showed a disposition to emulate the great man who preceded him in the seat of Government. He observed it stated, in the 'Bombay Government Gazette,' that his Lordship, in noticing the progress made in education by the Natives, had adverted to the school founded in 1822, for the instruction of Hindoos in the science of medicine, which he spoke of in high terms, and said, that in his opinion it was an institution calculated to do a great deal of good, and ought to be supported. Now, he wished to inform the Court, that he had received a letter from India, in which the Court of Directors were represented to have sent out an order, the purport of which was either to suppress entirely this institution, or so to crush it that it would never be able to effect the good which the noble Lord had predicted. The question he had to ask was, whether the Court of Directors had sent, or intended to send, such an order out?

The CHAIRMAN stated, that he did not feel himself authorized to answer the question. As to what the Court of Directors intended to do, it was beyond his power to say. At all events, he did not feel called upon to answer a question of that nature.

General THORNTON agreed with the hon. Proprietor (Dr. Gilchrist) that it was absurd and improper to call upon the Court to agree to the motion, when they knew little or nothing about the subject. On occasions of trifling interest, he had often known that papers were produced, and now, when the question was of such great importance, he could not see why they should be withheld. The motion might be very proper, but he was not prepared to support it, until he had further information on the subject. If Government thought proper to send out a naval force to India, he did not see why they should call upon the Proprietors to defray the expense; an expense too which the Company could at present but ill afford, when the unfortunate Burmese war was costing them such immense sums. (2)

The CHAIRMAN said, that no other than the usual course adopted on all other occasions had been followed with regard to this Bill. No vote of the Proprietors could stop its progress in Parliament, and all they could do was to petition against it. He could therefore see no reason for laying the Bill previously before the Proprietors, when they were called together for the purpose of concurring in it.

Sir C. FORBES entirely approved of the measure before the Court, if it did

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(2) It costs the Directors and Proprietors nothing. It is the poor Indians, the Burmese themselves, and the English nation collectively, that will have to make up this enormous waste. If the Directors and Proprietors had to pay the costs, the war would never have been entered into.

not go to interfere with the Bombay marine, than whom he could say a more efficient and meritorious class of men and officers did not exist in any service. He thought it only reasonable that the Company should pay the expenses of the additional force. The Company's marine, in his opinion, ought to be placed on a more respectable footing than it stood on at present. He deeply regretted that the naval force in India had ever been reduced. He thought it extremely unwise, and discreditable to the nation, to have allowed the naval force in India to be reduced to so low a state as that in which it was placed eighteen months ago. This ought not to have been done whilst the Dutch had such important possessions in India.

The CHAIRMAN could assure the hon. Baronet that there was nothing in the measure which could have for its object the interfering, in the remotest degree, with the Bombay marine. The measure had not originated with the Court of Directors, but with the Board of Control; but the Directors had taken every care that the marine force in India should not be affected by it. He wished, on the contrary, to see that portion of the Company's forces placed on such a footing as to be in all respects efficient.

Mr. TWINING gave the measure his decided approbation, and was convinced that it had received all the attention its importance demanded.

The motion was then agreed to.

General THORNTON inquired, if, in the Bill before Parliament respecting East India Writers, there was provision made for the examination of such gentlemen as were not educated at the Company's colleges, touching their proficiency in the Native languages.

The CHAIRMAN replied, that the Bill had passed the House of Commons, and he could therefore not do better than apply to the gallant General for the substance of its contents.

Colonel STANHOPE gave notice, that he would submit a motion, on the next General Court day, respecting the flogging of Natives of India, which he believed was practised to a very great extent, although two eminent Judges, Sir James Mackintosh and Sir Edward West, had declared their opinions that the practice was contrary to law.

The following are the particulars of the proposed motion :

1. That by the 5th article of the Honourable Company's Regulations, (the first of 1824,) it is declared lawful for one Magistrate of Police, upon complaint made by any master or mistress against any servant or *hamal*, and on such complaint being established by the oath of one credible witness, to punish the offender by causing any number of lashes, not exceeding twelve for each offence, to be inflicted on him or her so offending.

2. That this regulation is utterly illegal; for any power of the Petty Sessions at Bombay to inflict whipping must be derived from regulations made under the statute 39 and 40 Geo. III. c. 79, sec. 18, by which corporal punishment can only be inflicted on conviction before two magistrates.

3. That in defiance of this statute, and of the admonitions of two high-minded British Judges, namely, Sir James Mackintosh and Sir Edward West, many hundreds of men have been fined and flogged without limits, and have been banished, and condemned to the condition of galley slaves; and that this monstrous and unlawful practice is still persevered in by the magistrates of Bombay, and obstinately sanctioned by the grand jury of that settlement.

4. That this Court humbly entreats the Directors to repeal the 5th article of the regulations, (first of 1824,) which is opposed to the above-mentioned statute; to support the King's Chief Justices in India; and to check the barbarous practice of flogging in that country.

The Court then adjourned.

## MR. BUCKINGHAM'S PETITION.

*To the Honourable the Commons of the United Kingdom of Great Britain and Ireland, in Parliament assembled.*

The humble Petition of JAMES SILK BUCKINGHAM;

Respectfully Sheweth,

1. THAT during the greater portion of a life passed in visiting different regions of the world, your Petitioner has constantly had the satisfaction to find that the mere circumstance of his being an Englishman gave him a powerful claim to hospitality and protection wherever the British name was known.

2. That the course of events having led your Petitioner into Egypt, he was induced, by the earnest entreaties of several British and other European merchants, residing in that country, to make a maritime survey of the Red Sea, and proceed by the way of Arabia to India, for the purpose of encouraging the British merchants there to revive the lucrative commerce which heretofore existed by this ancient route, and supply the shores of the Mediterranean with the inexhaustible productions of the British possessions in the East.

3. That your Petitioner having, in the year 1814, arrived at Bombay, and received the most flattering and welcome reception from his countrymen of all ranks and conditions, there for the first time found that his being an Englishman, which had every where else been to him a source of pride and benefit, was now the cause of humiliation and disadvantage; for while individuals of every other nation were permitted without any express license to reside and enjoy security of person and property under the British flag, no Englishman could lawfully set his foot on the soil of this quarter of the British empire, without permission first obtained from the East India Directors in England.

4. That your Petitioner, not having left England with any intention of visiting India, was unprovided with such license, and did not therefore attempt to settle and reside in the country; but, in the prosecution of his commercial pursuits, your Petitioner accepted the command of a large ship, trading from Bombay to China, under the authorized protection of the British flag, belonging to the Imaum of Muscat, an independent Arab prince, in amity with the British, and then having in his commercial employment several Americans, besides French and other European subjects, who were unmolested in their trading occupations; while your Petitioner, being by birth an Englishman, was for this and no other reason, real or alleged, prevented from holding this command, and not merely removed from his ship, but ordered instantly to quit the country.

5. That if your Petitioner had suffered this calamity, severely as it has affected all his future prospects in life, in consequence of any misconduct, he should not now have adverted to it as a part of his unhappy history; but at the very moment when this sentence was carrying into execution, the Governor, the late Sir Evan Nepean, bore the highest testimony to your Petitioner's merit, the late Sir Evan Nepean, bore the highest testimony to your Petitioner's merit, and not only professed himself entirely satisfied with the publicly beneficial nature of your Petitioner's pursuits, but in a correspondence which passed between himself and his Chief Secretary, on this occasion, expressed a hope that your Petitioner might, on these grounds, obtain the necessary license from the East India Company for his return and future residence in their territories.

6. That your Petitioner, in consequence of this peremptory order given him to quit India, returned again by way of Arabia to Egypt, and after a very



considerable loss of time and money, succeeded in obtaining the requisite license of the East India Company to visit their dominions; the only conditions of such license being, that he should conform himself to all the laws and regulations having the force and sanction of laws, under such Presidency as he might from time to time reside.

7. That being at length in possession of this license, your Petitioner returned to India, and, after relinquishing the command of the ship in which he was reinstated, rather than go on a slave-voyage for her owners, ultimately settled at Calcutta, in the year 1818, under the open countenance and protection of the Government of the Marquis of Hastings, where he vested progressively a capital of more than 20,000*l.* sterling in the establishment of a Public Journal, acknowledged to be lawfully formed and conducted, and permitted as such to pay annually a sum equal to more than 4000*l.* sterling in postage to the revenue of Bengal.

8. That your Petitioner conducted this Public Journal for a period of five years, without being convicted of any libel, private or public; having been only once prosecuted by indictment of the Six Secretaries to Government, for an alleged imputation on their impartiality, and on that occasion unhesitatingly acquitted by a jury composed principally of Government dependents, every individual of whom, being of British birth, was not merely liable to lose his place, but to be banished without a hearing from the country, for any act that might be displeasing to his superiors; and never having had to pay a farthing of damages, either to individuals or to public bodies, though in all actions brought before the Indian Courts, there are no juries of any kind to protect defendants, the verdict and amount of damages being left entirely to the discretion often of a single Judge, who, from his station and habits, may be regarded as one of the members of the Government itself, and therefore deeply interested in repressing and punishing even a tendency to undue freedom of discussion.

9. That besides having the good fortune never to have once incurred the censure of the laws during this long period, in which nearly two million copies of your Petitioner's Journal were issued and circulated among a community where almost every reader is a member of the governing body—there probably not being ten Native Indians in all Bengal who read or understand an English paper—and under so peculiar a state of legal administration, where the bench, the bar, and the juries, are all so closely interwoven with the Government, as to afford the strongest security for their continual bias towards the support of its interests, your Petitioner had also the happiness of enjoying, during the whole of this period, the esteem and confidence of his fellow-countrymen of all classes in India, to such a degree, that one hundred of them, including British merchants of the greatest wealth and most unsullied integrity, as well as Civil and Military functionaries of the highest rank and most unquestionable loyalty, and others having the deepest stake both as to wealth and reputation in the security of the established Government, evinced their entire approbation of your Petitioner's mode of conducting his Journal, by consenting, after it had been four years before the Indian public, and its character, therefore, minutely watched and accurately known, to hold shares in its property to the amount of 10,000*l.* sterling, in the full confidence of its being safely invested in a legal, honourable, and useful undertaking.

10. That in the month of February 1823, soon after the resignation of the Marquis of Hastings, and during the brief interregnum between that resignation and the arrival of his Lordship's successor as Governor-General of India, your Petitioner received a letter from the Chief Secretary to Government, informing him, that in consequence of his having expressed an opinion on the inappropriateness of a certain appointment of a Presbyterian minister, who was not in the Company's regular service, to an office wholly foreign to his existing pursuits and derogatory to his holy calling, your Petitioner had forfeited all claim to the countenance and protection of the Government under which he lived; in consequence of which, his license to reside in India

was from that moment withdrawn, and he was thence ordered, without a trial or a hearing, to quit the country within a few weeks only from the date of this order, on pain of being seized and transported as a felon, in such ship as the Governor-General might choose; although your Petitioner had, in the act complained of, disregarded no specific warning, touched no privileged functionary, disobeyed no law, infringed no regulation having the sanction of law, or committed any act of either an illegal, dangerous, or immoral tendency.

11. That your Petitioner, untried and innocent as he was, being thus expelled and outlawed by a decree which admitted neither hearing nor appeal, hastened to quit a country in which the mildest exercise of his legal birth-right was deemed a crime that unfitted him for further residence among his fellow-countrymen in the East, and embarked with his afflicted family for England.

12. That your Petitioner firmly believing, in common with all those who had invested their property with him in this joint undertaking, that he would be permitted to return again to India, when the severe punishment already inflicted on him by this act of banishment should have expiated his supposed offence, was induced to leave behind him the whole of his large and valuable property, the accumulated earnings of years of anxious labour, and the only source on which he could rely for the future subsistence of himself and children, in the confident assurance that, although he, being an Englishman, had been thus suddenly removed from the superintendence of his own affairs, the individuals in whose charge he left them not being liable to this sudden removal, would be amenable for their conduct to a court of justice only, and his property, in their hands, be safe from violation and destruction.

13. That in this hope, however, your Petitioner was grievously disappointed, for notwithstanding the unanimous concurrence of the public authorities in England in the justness of the objections urged by him to the appointment of the Presbyterian minister in India, and their immediate orders to remove the individual from his office, which have since been put into execution, your Petitioner was still punished with the most unrelenting severity for merely presuming to anticipate their own decision; and every application made by him for leave to return to his property, his friends, and his pursuits in India, was invariably rejected, without any reason being assigned for these repeated denials of so humble and reasonable a request.

14. That your Petitioner further found, to his extreme sorrow and dismay, that the Indian Government, not content with banishing him from the country, had taken advantage of their great power—first, to pass and register the regulation, for a pretended disregard of which your Petitioner was banished, before it had the force or sanction of law; next, to make another regulation, placing every press in India under a license revocable at pleasure; and lastly, notwithstanding the solemn assurance of the Chief Justice of the King's Court, Sir Francis Macnaghten, that the property vested in existing Journals should be respected, and that without a guarantee from the Indian Government to this effect, he would not give their regulation the force of law by registering it in the Supreme Court—proceeding, in utter disregard of this solemn and public pledge, to carry into effect a series of consecutive measures, by which the whole of the property left by your Petitioner in India in this supposed security has been swept away.

15. That the most valuable portion of this, the copyright of the 'Calcutta Journal,' was actually taken from your Petitioner and his co-proprietors without any consideration being tendered for the same, and then presented as a free gift to the son-in-law of one of the members of the very Government under which this extraordinary transfer of property took place; the Government having previously decreed, that so long as any portion of the property thus transferred should belong to your Petitioner—though he was absent at the distance of thousands of miles, and could not possibly influence its management—or, indeed, so long as he, or any of the one hundred English Gen-

plemen of wealth and character, who held shares in his Journal, had any property whatever even in the types, presses, or other materials of printing, no license should be granted for their use, and no benefit be received from them by their lawful owners, though they were subsequently permitted to be used by the favoured individual adverted to, for his own sole and exclusive advantage.

16. That in consequence of these measures, the ruin of your Petitioner has been so completely and entirely effected, that, instead of being possessed of an income of 8,000*l.* sterling per annum, from a property of the saleable value of 40,000*l.*, which he enjoyed at the period of his banishment from India, he has been utterly deprived of both income and capital, and is moreover now involved in debts to the extent of at least 10,000*l.* more, from the measures pursued towards his property in his absence, and against which no foresight on his part could possibly have provided.

17. That on hearing of this dreadful calamity, which threatened to plunge your Petitioner and his family into irretrievable misery, he again solicited the Court of Directors for leave to return to India for ever so short a period, to be named by themselves, merely to gather up the wreck of his scattered and ruined property, and to prevent the further accumulation of debts, which it might take him a whole life to repay; when this permission was also denied, without any reason being assigned for so unexpected a rejection of this last hope of saving himself from inevitable destruction.

18. That your Petitioner, desiring to pursue only the fair and legal modes of remedy which were supposed to be open to him, has never once resorted to clamour or to factious proceedings of any kind, in all the attempts he has made to obtain redress; that, though goaded to the very brink of despair, he has never written any but the most humble and respectful memorials to the Indian authorities, and has submitted the public discussion of his case to the advocacy of others rather than trust his own feelings in the expression or delivery of his appeal to those from whom he hoped for sympathy and relief. But that all this caution and consideration has availed him nothing; as he now finds himself more severely punished for the exercise of a universally acknowledged virtue, than he could possibly have been by any law for the commission of the greatest offences; for that even a sentence of solitary confinement for seven years—heavy as such a punishment may seem for merely venturing to question the propriety of an appointment no sooner heard of in England than it was annulled—would have been to him a less grievous infliction of evil, as he might have survived such an incarceration, and passed the remainder of his life in enjoyment and repose; and had he even expired in a dungeon, he might have died with the consolation of knowing that his family and children would have enjoyed the property he had so hardly earned; whereas, he has now the additional agony of having his existence prolonged to witness not only his own destitution, but the total destruction of all their infant hopes, doomed as they now are to be made sufferers through life for the supposed errors of their parent, and, on his account, to be cast upon the world in a condition which he can never contemplate without horror.

19. That all other means of redress having been tried in vain—his prayers rejected, and his hopes continually ending in bitter disappointment—your Petitioner now approaches your Honourable House, imploring them to take his unhappy case into their early consideration, and to afford him such relief as to their wisdom may seem meet, in the humble but earnest hope that they cannot behold with indifference the utter ruin of an innocent fellow-subject, without that protection of trial before punishment, which is not denied to the most abandoned criminals in this and every other civilized country of the earth.

And your Petitioner, as in duty bound, will ever pray.

DEBATE IN PARLIAMENT ON PRESENTING MR. BUCKINGHAM'S  
PETITION.

*House of Commons, Tuesday, May 9, 1826.*

LORD JOHN RUSSELL said, he held a petition in his hand of considerable importance, as affecting the conduct of the Indian Government towards an oppressed individual. The Petitioner was Mr. Buckingham, whose case had upon another occasion been brought under the consideration of the House by the hon. Member for Durham, whose absence from his place at this time nobody regretted more than he, (Lord John Russell); and if clearness and ability of statement had been sufficient to attract attention to the merits of the petition at that time, the present task would have been spared him, (Lord John Russell.) The exposition of Mr. Buckingham's wrongs, however, forcible and unanswerable as it was, had not produced the consequences which an injured man had a right to expect, and that gentleman had therefore thought it due to himself to submit his case once more to the consideration of the House. When the matter was last discussed here, the answer given was, that as the Petitioner had thought proper to remove his complaint into a court of law, it would be improper for this House to interfere—he having, it was said, confessed by this act, that a court of justice was more likely to give him redress than this House. Mr. Buckingham, by this petition, refuted that reasoning, and showed that his wrongs were of such a nature that it behoved this House, as the guardian of all subjects from oppression, to extend to him its protection. The Petitioner set forth—that a calamity which he dreaded when he last presented himself to this House, had since actually befallen him. He then went on to state, more in detail, the circumstances of his case, and the House would excuse him (Lord J. Russell) for following the Petitioner into a few of those particulars. In 1814, Mr. Buckingham arrived in Bombay, but not being provided with a license, he was obliged to return to Egypt, and apply to this country to procure one, before his residence there would be sanctioned by the authorities. After his return to India, he visited Bengal, where he learned that the censorship on the press had been just abolished by the Marquis of Hastings. The Petitioner then became the proprietor of a daily newspaper in Calcutta, which he states in his petition he conducted for five years, without being convicted of a libel before any court of justice in India, although it is well known that the juries in those courts are composed principally of dependants on Government, and of course not so impartial in questions between the Government and the people as the juries of this country. He was not even brought to trial but once, and it was then upon a charge of libel, of which he was acquitted. He continued in the direction of his journal during the whole administration of the Marquis of Hastings. By this time his paper had become a good property. Having progressively invested 20,000*l.* in it, it came to be worth 40,000*l.* in saleable value; he had sold two millions of copies in the course of five years, and paid annually to Government 4,000*l.* as postage, for the copies sent to different parts of India. He states, that it was a journal much in esteem, and that he himself was greatly respected. Soon after this, he received several intimations that the course which he was pursuing, and the remarks he was making in the '*Calcutta Journal*,' were highly offensive to the Indian Government. These suggestions were not, however, sufficiently forcible to induce him to change the tone of his remarks, and, indeed, looking at these articles, he (Lord J.) could not imagine that they were calculated to give offence to any free Government, —(*Hear*)—they would have been circulated unobserved by the police either at Paris or Brussels. (*Hear, hear.*) After the departure of the Marquis of Hastings, Mr. Buckingham received notice that his license was abrogated, and that he must quit India. Now this was a step highly calculated to involve

almost his total ruin, and the only reason alleged was an article in the 'Calcutta Journal,' in which the writer found fault with the appointment of a Presbyterian minister, who was subsequently removed. As to the tone and manner of that article, it was such that, considering the circumstances, would, in this country, so far from being considered dangerous to the peace of the community, be regarded as deficient in bitterness, in severity, and political spirit. But Mr. Buckingham was obliged to depart from India, and leave behind him the property which his talents and his industry had accumulated. No sooner had he left India, than certain regulations were brought before the Supreme Court there, ordering, amongst other things, that the proprietor of every Journal should have a license, liable to be revoked at the pleasure of the Government; but the Judge, Sir Francis Macnaghten, said, he should object to these regulations if they were made to extend to any existing Journal. But, what followed? Within a short time after Mr. Buckingham's departure, an order was given to suspend the publication of his Journal. He had come home to England, and, at considerable expense, had sent out materials for printing and other purposes, in order to support his establishment in India; but an order in the mean time had been issued to suspend the publication of his Journal; which order destroyed his property. This, it may be imagined, was a serious injury to the Petitioner. Let the House, for a moment, consider the situation in which he was placed. He had sent out, at an immense expense, materials for continuing his paper, all of which were rendered useless by the order for suspending its publication. In answer to the applications of his agents for permission to another person to manage it for him, it appears that Dr. Muston, a son-in-law of one of the Members of the Council, was the only person who would be permitted to superintend it. But it was not to be expected that Mr. Buckingham could be satisfied to leave the management of his property in such hands. This limitation amounted, in fact, to a total annihilation of the copy-right. In conclusion, the Petitioner stated, that in consequence of all these arbitrary and oppressive proceedings on the part of the Indian Government, he had not only lost the 20,000*l.* which he progressively invested in the paper, but that he was also 10,000*l.* in debt.

Such, then, being the statement of the Petitioner, he (Lord John) thought it was a case calling for the serious attention of this House. The punishment was far disproportionate to the offence with which he was charged. The second point upon which he rested the claim of Mr. Buckingham to the attention of the House, was the severe and unmerited hardships to which he was subjected. These hardships were intimately connected with the liberty of the press in India, because it would seem the Governor had the power of sending away an Englishman upon the supposed abuse of that liberty, when no other man could be sent away on such slight grounds. The Marquis of Hastings, wishing to restore the press of India to something like liberty, abolished the censorship which previously existed, by way of experiment; but upon the departure of the Marquis of Hastings, the experiment being found not to succeed, the whole punishment, by banishment and the loss of his property, was visited upon the Petitioner. Though under the Government of such a man as the Marquis of Hastings, fair discussion might be carried on so long as writers abstained from slander and abuse, even with a censorship, yet he had the foresight to see that such might not be the case with his successors, and therefore abolished the censorship. It had been said, that the measures of the Marquis of Hastings had led to these transactions; but he had seen communications from that noble Marquis, in which the removal of Mr. Buckingham was condemned; because, says Lord Hastings, whatever might have been the tendency of Mr. Buckingham's writings, of wilful and deliberate offence to the Government, he never was guilty. As to the propriety or inexpediency of a free press in India, that was a question into which he did not mean to enter at present; he should confine himself strictly to the wrongs which the Petitioner had suffered; and he complained of it as gross injustice, that, because the Marquis of Hastings had thought fit to abolish the censorship, and try the experiment of a free press, under certain regulations—and because that experiment had not succeeded, that, therefore, the whole loss should fall upon the Petitioner. (*How*;

hear.) It appeared to him that the Marquis of Hastings had not acted with due foresight in abolishing the censorship, and substituting in its stead an arbitrary power over the writings of Editors. He could easily believe that, so long as the Marquis remained as Governor, an Editor would have nothing to fear, unless he abused the freedom which was allowed him; but the case was quite different when others succeeded the Governor-General. When there were two parties, one, the Governor-General, invested with absolute power, and the other, the Editors of Journals, wielding the power of public opinion; if the former have the power to crush the newspapers, a time will come when that power will be abused. (*Hear, hear.*) However, there could be no doubt that Mr. Buckingham had been most hardly dealt with, in having had his property altogether destroyed without compensation, because it suited the views of the Government to destroy the freedom of the press. This was a case of individual grievance which imperatively demanded the attention of the House, and he therefore meant to move, that the petition he now held in his hand be referred to a Select Committee, instead of the usual course of moving that it lie on the table. (*Hear, hear.*)

Mr. WYNN said, he would take that opportunity of making some observations in reply to those made by the Noble Lord upon presenting the petition of Mr. Buckingham. The question was brought before the House last Session by the hon. Member for Durham (Mr. Lambton), and at that period it was stated the matter was to be subjected to the decision of a court of justice; that Mr. Buckingham had, in fact, commenced an action against Mr. Adam, the acting Governor, after the departure of the Marquis of Hastings; but that gentleman—the loss of whose talents and knowledge in the affairs of India would long be felt—having unfortunately since died, proceedings could not be carried further. He, however, expressed it as his complete and decided persuasion, that could the action have been persevered in, its result would have been satisfactory, as far as the character of Mr. Adam and the conduct of the Government of India were concerned. It appeared to him that the whole question, as stated by the noble Lord, who, he must observe, concluded with expressing his intention to move to refer the petition to a Select Committee, a course not usual without notice, or some communication of such an intention, but which, if persevered in, he should feel himself bound to oppose; but the whole question rested upon this: Was the Press of India to be as free and unshackled as it was in England? (1) That question he was ready to meet, and that liberty of the press in India was impossible as long as we held dominion there. (2) The noble Lord adverted to some of the paragraphs which were the objects of the animadversion of the Indian Government; they were such, said the noble Lord, as might give offence to a despotic government, such as, perhaps, would not be endured at Madrid, but would pass unnoticed in Paris or London. He was ready to admit, that in a country where a free representative government was established, they would not do the slightest mischief, or would they be fit subjects for the

(1) If any other individual than the one whose speech is here reported, had, from the subject being entirely new to him, fallen into this error, it might have been pardoned. But that the President of the Board of Control, whose duty it is to be intimately acquainted with the affairs of India, before whom all the Petitioner's previous correspondence with the India Company had been officially laid, and who had read the Petition under discussion, first in manuscript, before it was presented, and again from a printed copy obtained by courtesy of the noble Lord who laid it before the House, should make this assertion, is inconceivable. So far from this being the *whole* question of the present Petition, it forms *no* part of it, for, from the first paragraph to the last, neither the words, free press, freedom of discussion, nor any other phrase of similar import is once introduced! (2) This is, in other words, saying that the acts by which our dominion is there upheld will not bear the scrutiny to which such liberty would subject them; a truth hardly to be expected from the lips of the official personage who is at the head of this branch of the administration, but of the more value on that account; though, from the mouth of any other person, it might be deemed a slanderous libel!

interference of Government; but the Government of India was not a representative Government, either in form or in essence. It was an absolute Government, responsible for its conduct to this country *only*. (3) If they were to allow the liberty of the press in India, such a Government could not exist,—the existence of a free press and an absolute Government being incompatible. (4) It was not his intention now to enter at large upon the Govern-

(3) The confusion of ideas which appears to prevail in almost every quarter, respecting the true nature of the Indian Government, is such, that no two speakers are found to agree in the definition of its powers; and even the same individuals describe it sometimes as one thing and sometimes as another, just as it happens to suit the purpose of the moment. We have been told that it is a Government of opinion only; but then, say some, it is founded on the opinion the Natives entertain of our mildness and justice, while others contend that it rests on the opinion the Natives have of our power. Sometimes it is asserted, that it is the best Government ever devised for India; at others, it is allowed to be an evil that it should be a despotism; but it is then qualified by the argument, that, like many other evils, it is a necessary one. But a Government being at once "absolute" and "responsible," is a mixture which we could never well comprehend. If the Government of India has laws for its guidance, (and for what are all the Acts of Parliament relating to it passed, but for this?) then it is *not* an absolute Government. If courts of justice are established there to protect the lives and properties of the subject against the arbitrary power of the state, (and their decrees against the ruling authorities in repeated instances show that they exercise this power,) then the Government of India is *not* an absolute one; and the release of Mr. Arnot from prison, by an order of Judge Macnaghten, after he had been confined by order of Lord Amherst, shows that the Government of India is in some cases responsible to the laws of England there administered, and not to the authorities in this country alone. Indeed it is only in the exercise of the one odious power of banishing individuals without trial, (or withdrawing their license, as it is called,) that the Government is absolute; for in all other violations of right, it may be made amenable to a court of justice; though with this power to suspend in *terrorem* over the heads of obnoxious individuals, it can compel them, by threats, to do what it pleases, merely saying, "These are our orders—they may not be lawful; but, unless you obey them, we shall remove you instantly from the country."

(4) Can Mr. Wynn be at all acquainted with the history of India, and be ignorant of the fact, that Native *Ukhdars*, literally "Newspapers," have existed in India from the earliest period of the Mogul Government; and that in these, freedom of remark on the passing events of the day was by no means rare? Does he not know, on the often repeated authority of Sir John Malcolm, that such papers, containing the severest strictures on our Government, written by Natives themselves, freely circulate now; and that no art or power on our part can prevent it? And yet the despotism of India remains unmoved. But since the introduction of British power in succession to the Mogul rule, there has been as much freedom of discussion in India as ever was permitted in the freest times in England. Under Governors Verelst, Clive, Hastings, Cornwallis and Shore, there was not only no censorship, but no other sort of restraint on the Indian press? In a paper published by a person named Hickey, in Warren Hastings's time, the Governor-General himself personally, and his measures generally, were censured and denounced with a severity not surpassed by any thing in any other country. And yet the despotism of India still existed, and was as absolute in theory and in practice as at present, in all other respects. Lord Wellesley was the first British Governor that ever placed the press under a censorship; and this was removed by Lord Hastings, with a substitution of other restraints, supposed to be less degrading. During his administration, however, the press was practically free; and, in the estimation of Mr. Wynn and other advocates of the present licensing system, free even to licentiousness, for this is their only plea for putting it under its present "wholesome restraint." And yet, who does not know that never was India more prosperous or tranquil; never was her Government so strong, or her absolute power less in danger of being overturned, than during the five years when this alleged "licentiousness of the press" prevailed?—while, since it has been placed under its present fetters, the country has been in one continued state of war, mutiny, dissatisfaction, and ruinous expenditure! and absolute power in much greater danger of being altogether over-

ment of India, but it must be recollected that country was governed by foreigners, and that the Natives were systematically excluded from all situations of importance in the direction of its affairs. It was impossible this system could continue with a free press, which, in the Native language, would proclaim that exclusion to all the inhabitants. This soon becoming a general topic of conversation, would circulate a firebrand throughout India, which must endanger our dominion there. (5) Unless, then, they were prepared to say India should have a representative Government, they could not permit the existence of a free press. What were the checks to the liberty of the press here and in France? There were public assemblies where the Government had the opportunity of defending themselves from the charges made against them, but the Government of India had no such opportunity. If the liberty of the press were allowed, they must submit to every charge, however false or unfounded, made against them. True, they may answer these attacks in newspapers; but when the members of a government were

turned, than at any period during the times of the utmost freedom of discussion. So much for the sagacity of the observation, that a free press and an absolute Government could not co-exist; and that suppression of discussion was the best mode of preserving tranquillity and strength! But the lessons of experience make no impression on some minds.

(5) It is the peculiar fate of a bad cause to grow weaker and weaker with every successive advocate; for proceeding, as its supporters generally do, in regular gradation towards the climax of absurdity, every successive argument employed by them being, as they suppose, stronger and stronger in favour of their position, becomes weaker and weaker in the eyes of all other men; because the position which they labour to establish, being of itself absurd, the arguments most likely to strengthen it are of necessity the most absurd also. The present is a remarkable instance of the truth of this axiom. If Mr. Wynn supposes that the Natives do not *already* know that they are governed by foreigners, or that they themselves are excluded from all participation in the power of Government, he must imagine them to be very strange beings; and if they *do* know this already, how comes it that the firebrand is not already lighted up? It can surely need no free press to tell the Natives that in every district of India there are not a dozen white men to a thousand black. In many parts of the country, there are hundreds who do not see a white face once a year. Can these, then, be under the delusion that there is no disproportion in the numbers of the one to the other? Again, as to the Native troops, can Mr. Wynn imagine that the sepoys need a free press to tell them that in a battalion of a thousand strong there are not more than twenty, and often not ten, European officers to command them? Can *any* class of Natives for a moment imagine that the civil and military servants of the Company are *not* foreigners, but genuine Hindoos and Mohammedans? or that the offices of Commander-in-Chief and Governor-General are as open to Rajpoots and Brahmins as to English noblemen and gentry? They know all this as well as any free press could tell it them; and it does already form the frequent topic not merely of their conversation but of their secret despatches, proclamations, and appeals, which, Sir John Malcolm says, fly from one end of India to the other with the rapidity of lightning, at every moment that offers a hope of hastening their expulsion. The firebrand is therefore already lighted up, without the aid of any press to kindle it; and if it were not, Mr. Wynn's own speech, which will go out to India in every newspaper that is printed, which will be republished in every Indian Journal, and be disseminated in a thousand directions over every part of India, before four months are over, would light up this dreaded firebrand as effectually as any thing written or printed on the spot could do. He could not have been aware of this, or he would never have given utterance to such a sentiment. But it will show how hopeless a task it is to prevent the dissemination of opinions by merely lopping off a distant branch or two of the tree from which they spring. To do it effectually, the axe must be laid to the root. Not only must the pens of Englishmen be prevented from writing in England as well as India; their tongues must be also rooted out; the Parliament of the empire, and every other public assembly, must be razed to the ground, and universal silence be enjoined, before it is possible to prevent what is said or written here from finding its way, through a thousand unintermittible channels, to the remotest corners of the earth, wherever Englishmen reside, or the English language is known.



charged with an improper selection of its officers, how could they, without an abandonment of their dignity, state the reasons which actuated them in the selection of these persons? (6) It was stated by the noble Lord, that the Marquis of Hastings, in abolishing the censorship, wished to try the experiment of a free press; but he need only refer to the regulations substituted for the censorship, to see with what justice the noble Lord could make that statement. The editors of newspapers were prevented from publishing any articles under the following heads:—any thing that animalvered upon the proceedings of the Court of Directors, or tended to derogate from the authority of Government; any disquisition upon the political transactions, or offensive remarks upon the Members of the Council; any discussion having a tendency to interfere with the religious opinions of the Natives, or the publication of any thing copied from English papers under the above heads. Now, under these regulations, though the censorship was abolished, he left it to the House to consider if the press of India was not as restricted as it could be. (7) It was also stated, that Mr. Buckingham had disregarded no

(6) Every new paragraph confirms the axiom laid down in the preceding note. The notion that the Parliaments of England and France are the only checks on a free press in these countries, is certainly new. One would suppose, from this, that there were no newspapers that ever espoused the cause of Government, no attorneys-general to prosecute, or courts of justice to punish those whose accusations of the Government were unfounded; and that the ministers had none to help them in their need, but were compelled to stand forward in Parliament, and there alone repel every attack made on their measures. Their places would not be very enviable, if this were true; but while they have the 'Courier,' the 'Representative,' and the 'Bull,' to hold the 'Globe,' the 'Chronicle,' and the 'Examiner' in check,—while they have places and pensions to give to writers in the one, and Newgate and Cold Bath Fields for the other, they need be under no alarm as to not having ample justice done to all their measures, and every unfounded attack upon them speedily and effectually repelled. But if this preponderance of influence, on the side of men in power, be a sufficient security against misrepresentation in England, it is a thousand times more effectual in India. In that country, not even one English editor is to be found who is not dependent on the very breath of the Governor-General for his remaining in the country, from which, it may be seen, he can be sent at a moment's warning for any reason or for none. But, were the dread of this even removed, the judges, barristers; and juries of India, are all closely interwoven with the ruling authorities; and *all* the government portion of the press in India, where nine-tenths of the newspapers are edited by persons actually in the pay and service of the East India Company, form a barrier in defence of its measures, which no single assailant could hope to penetrate, unless he were so entirely right, and his opponents so entirely wrong, that his success would be the triumph of truth and justice over falsehood and iniquity. What a reproach then to the Indian system of rule, for its President, Mr. Wynn, to say, as in effect he *does* say, by this extraordinary assertion: "True, every editor not in the service of the Government lives in India by sufferance: true, nearly the whole of the press of that country is in the hands of Government servants: true, also, there are other powerful securities in the peculiar constitution of the courts of law, against unfounded accusations. Nevertheless, so impossible is it to defend the measures there in operation, by these united means, that they must not be allowed to be canvassed; so improper is the selection frequently made of persons to fill offices, that the Government cannot, without an abandonment of their dignity, permit either the dependent portion of the press, or their supporters, to state the arguments in favour of such selections." If any *sanctified* personage were to say this, it would be an undoubted libel. But, coming from the authority it does, it is harmless. It is an admission, however, which speaks volumes, and should be long held in remembrance.

(7) There is no reconciling the inconsistency of Lord Hastings in the particular, but by stating, that the restrictions or regulations here referred to, were placed on the press in June 1818, when the censorship was first abolished; and that his celebrated speech and declaration respecting the freedom of the Indian press, was made in July 1819, more than a year afterwards, and the language he then used was this: "One topic remains. My removal of restrictions from the

*specific warning.* This could not be the fact; for, in 1820, the Governor-General to Connell issued an order, in which it was stated, that former warnings had made so little impression on him, he must abide by the consequences, if he continued to incur the displeasure of the Government. In 1821, again, after the departure of the Marquis of Hastings, an order was issued, warning him, that if he still continued in the same course, his license would be withdrawn, and he would be ordered to depart forthwith. Undismayed, however, by all threats—unaffected by all warnings—disregarding all advice—he still continued his course of libel against the Government; (7\*) then, and not till then, Mr. Adam compelled him to quit the country,—a course to which he was driven by Mr. Buckingham himself, and which he could not avoid, with any regard to the dignity of the Governor-General, or the character of consistency which ought to be maintained in a Government. (8) The whole question, in fact, turned upon whether the opinions

press has been mentioned in laudatory language. I might easily have adopted that procedure, without any length of cautious consideration, from my habit of regarding the freedom of publication as a *natural right* of my fellow-subjects, to be narrowed only by special and urgent cause assigned. *The seeing no direct necessity for these invidious shackles, might have sufficed* to make me break them. I know myself, however, to have been gulled in the step by a positive and well-weighed policy. If our motives of action are worthy, it must be well to render them intelligible throughout an empire, our hold on which is opinion." Often as this has been stated, it is not yet sufficiently familiar to the eyes and ears for which it is now repeated. But since certain restrictions were put on in June 1818, when the censorship was abolished—and here, more than a year afterwards, praise is taken for removing certain restrictions—who could avoid concluding, that Lord Hastings had *really* broken the invidious shackles of which he spoke, and that he saw no necessity whatever for denying to his fellow-countrymen, the exercise of that freedom which he regarded as their natural right? That he afterwards repented of his liberality, is no proof whatever that he was not sincere when he uttered these sentiments: and as the restraint formerly imposed could not both exist and be removed at the same time, it was due to the natural order of events, as well as to his character, to take the last as superseding the first, and to act on it, until his repeated disavowals of the freedom offered, rendered it impossible any longer to give credit to its existence. Nevertheless, it is clear, that even then, the press was not, as Mr. Wynn asserts, "as restricted as it could be;" because, the only ground of complaint is, that it was *too free*; and the very imposition of new and more rigorous restraints by Mr. Adam, shows that it was not deemed to be restricted sufficiently already.

(7\*) So far from there being any *course* of libel against the Government, there was not even *one* paragraph pronounced libellous by the only authority that can justly decide in such a matter, namely—a Court of Justice and a Jury—the only paragraph brought before them as such, being declared to be *not* a libel.

(8) On this part of Mr. Wynn's speech, as it made the greatest impression on the House, it is necessary to repeat again, in the language of the petition, that no *specific* warning was disregarded, and to show what these warnings were.

The first offence is characterized as "a wanton attack on the Governor of the Presidency of Fort St. George;" and, in the letter complaining of this, (June 18, 1819,) the Chief Secretary says; "I am directed to acquaint you, that by any repetition of a *similar offence*, you will forfeit the protection of this Government." No *similar offence* was ever afterwards committed.

The next complaint was against having "made certain observations, clearly intending to convey, that the Madras Government had taken measures to impede the circulation of the 'Calcutta Journal,' which measures were unjust in themselves, and originated in improper motives;" and the language then used was, "I am directed to warn you of the certain consequence of your again incurring the *displeasure* of Government," (Jan. 12, 1820.) An apology was then demanded; but, instead of this, a justification was offered, which so satisfied the Government of the truth of the accusation made, that the apology was *waved*, and the evil complained of remedied. It is clear, however, that no *specific* warning was here given, as a mere warning not again to incur displeasure, is one which no human being could tell how, safely, to avoid. No similar observation about the Post Office of Madras was, however, made after this.

entertained of the Indian Government in the minds of the Natives were to be supported by a regulated press, or wholly destroyed by a free one. For although a free press undoubtedly was a great blessing, under a free representative Government at home, it became a very dangerous engine abroad.

The next complaint was against having inserted a letter, supposed to reflect on the Bishop of Calcutta, which, on examination, however, did not bear that construction, and was accordingly defended. But, in reply to the explanation given, the Chief Secretary said, "I am thence, Sir, instructed to give you this intimation: Should Government perceive that you still persevere in acting on the principles which you have now asserted, [which principles were, 'that a temperate and moderate discussion of public inconveniences might be productive of public benefit, without infringing the respect due to public characters,'] there will be no previous discussion of any case in which you may be judged to have violated the laws of moral candour and essential justice, which are equally binding on all descriptions of the community; you will be immediately apprized that your license to reside in India is annulled, and you will be required to furnish security for your quitting the country by the earliest opportunity." Here again there was no *specific warning*, because "the laws of moral candour and essential justice" having their standard only in the opinions and consciences of men, what one man would consider a violation of them, others would not; and it was impossible for any one to say what might, in the opinion of another, offend so vague a tribunal. The offence, however, was a supposed reflection on the Bishop of Calcutta: and this was not only never again repeated, but he was afterwards often praised in the same paper.

After this complaint, (August 21,) the law was resorted to, as the most proper tribunal for punishing offences through the press, and the Editor had one prosecution by indictment, on which he was acquitted; and one attempt to crush him by an information, which was declared by Judge Macnaghten to be illegal and oppressive, and never proceeded in.

In September 21, however, the law being again abandoned, another official complaint was made of "a discussion respecting the power of Government to forbid the further continuance, within the British territories in India, of any European, not being a covenanted servant of the Honourable Company," in which it had been asserted, that "transmission for offences through the press is a power wholly unknown to the law"; that "no regulation exists in the statute-book for restraining the press in India"; and that "the more the monstrous doctrine of transmission (*i. e.* transportation without trial) is examined, the more it excites the abhorrence of all just minds." On that occasion (September 5, 1822) the Chief Secretary said: "You are now finally apprized, if you shall again venture to *impeach the validity of the statute quoted*, and the legitimacy of the power vested by it in the chief authority here, or shall treat with disregard any official injunction, past or future, from Government, whether communicated in terms of command, or in the gentler language of intimation, your license will be immediately cancelled, and you will be ordered to depart forthwith from India." On this it is only necessary to say, that the Editor never did again question either the validity or meaning of that or any other statute, or ever again doubt the power of Government to send persons lawfully away. Nay, he did not even disregard any injunction, past or future, vague and indefinite as that warning must be considered, and totally divested of any specific character.

It is worthy of remark, however, that in the reply given to this letter of the Chief Secretary, the Government were shown to have entirely mistaken the meaning of the discussion which had excited their displeasure; and when informed that their own functionaries were the principal writers in the rival paper which provoked these discussions, and their permission asked to publish the whole to the world, they gave no answer either to the accusation or request! being unable to deny the one, and too conscious of being in the wrong to submit willingly to the other.

The last act which sealed the fate of Mr. Buckingham, was his venturing to laugh at the incongruous union of the duties of a Scotch parson and a stationer's clerk in the same person. Now, this was not only an act clearly never warranted against, but it was one which could not be construed into a breach of any injunction; because, after Lord Hastings's resignation of the Government of India, no injunction whatever was given on this or any other subject. The last warning prohibited all questioning the meaning of statutes, and they were never ques-

And it should never be forgotten, that the Government of India did not depend upon the opinions entertained of it abroad, but on the character it was able to maintain in the eyes of those who ruled at home. (9) The regulations for the government of the press had been laid on the table of the House, and it was in the discretion of any of its Members, if they were dissatisfied with them, to move that they be altered or repealed. But as long as they continued the laws of India, the duty of the Governor-General called upon him to uphold and support them. He (Mr. Wynn) really thought the character of the Government was so pledged, that Mr. Adam had no other course to

tioned more; it also threatened banishment, if any injunction, past or future, were disregarded. No past injunction bore any relation to such an act as this, and no future injunction was given; none, therefore, was disregarded: so that, in every point of view in which it is examined, the words of the Petition may be safely repeated; namely, that in this act of jesting at an appointment acknowledged by Mr. Wynn himself to be so improper as to require immediate abolition, the Petitioner had "disregarded no specific warning, touched no privileged functionary, disobeyed no law, infringed no regulation having the sanction of law, or committed any act of either an illegal, dangerous, or immoral tendency."

(9) This is certainly a new light thrown on the Protean phrase, a "Government of Opinion." It has been hitherto held by three distinct parties: 1st, That our hold on India is founded on the opinion which the Natives entertain of our virtues, and therefore ought not to be weakened by any exposure of our vices. 2dly, That it is founded on the opinion which they entertain of our power, and ought not to be weakened by any exposure of our numerical inferiority. 3dly, On the opinion which the civil and military servants entertain of their superiors, and therefore ought not to be endangered by any thing which may weaken the bond of respect and discipline; for all which reasons, no freedom of discussion should be allowed in India, as that would soon dispel the mystery there. But the President of the Board of Control brings in a 4th interpretation, transferring the whole matter at issue from the immense peninsula of Hindoostan, to the narrow space between St. Stephen's Chapel and Cannon-row; or, to speak more plainly, between the House of Commons and the Board of Control! Now, if the Government of India does not depend on the opinions entertained of it in the country of its rule, then certainly this is the strongest argument that could be used in favour of permitting the utmost freedom of discussion there, since the opinions on which it does not depend, must be a matter of utter indifference; while, on the other hand, if the Government of India depend on the opinion it is able to maintain in the eyes of those who rule at home, then this is an equally powerful reason why there should be no freedom of discussion permitted on Indian subjects here, and nothing suffered to be said either at the India House or India Board which could change the present opinion of the Right Honourable Gentleman,—that it is the best possible Government that ever has been, is, or ever can be, while he presides at its head. There is one way in which this may be very rationally explained, notwithstanding; and as it will extricate the honourable speaker from a dilemma, we doubt not he will be gratified by our stating it. It is this: as long as the Governor-General be absolute, he may be said to be in his own person the Government of India. His retention of his place does certainly depend entirely on the character he is able to maintain in the eyes of those who rule at home, and not at all on the opinions entertained of him abroad. Never was there a more striking proof of this than in the opposite characters and fates of Lord Hastings and Lord Amherst. The first was always greatly respected, and is now almost idolized in India; he has all hearts and all opinions there in his favour; but he is not the manner of man to suit the authorities at home, and therefore he is not re-appointed to his post. Lord Amherst has entirely lost, if indeed, he ever enjoyed, the respect and confidence of his fellow-subjects abroad; but he is the manner of man that pleases the authorities at home, and therefore he remains, although the united voice of England and India is clamorous for his removal. It is therefore true, as Mr. Wynn remarks, that this absolute Government, vested as all the responsibility of it is in one person, is dependent, not on general opinion in India, not even on general opinion in England, but on some one individual's opinion here; and who that individual is that still holds out against the world, is now no secret.

*pursue.* (10) Although he admitted that the appointment which Mr. Buckingham contended was *not a proper one*, yet it was not fit that it should be discussed in a public paper, as the check on the Government of India was not the opinion of the people of India, but the authorities at home. (11) He could not think any blame could attach to Mr. Adam in these proceedings. Speaking from the authority of public documents, he could assert that, from one end of India to the other, the departure of that gentleman was considered a great public loss. (12) If the regulations under which Mr. Adam acted were thought improper, the fittest course would be to bring in a Bill to annul them; but whilst they were in force, they were law in India, under which the Governor-General was bound, as well as all others. He was repeatedly

(10) It is not correct, we believe, to say, that the Regulations for the Indian press were ever laid on the table of the House of Commons; but they may be moved for and placed there at any time by any one of the Members. That they have *not* been called for, and that no motion has ever yet been made to annul them, is only a striking proof of the indifference which prevails with respect to the affairs of that distant country. But we remember an enthusiast (and, strange to say, a lawyer, too,) exclaiming, when he heard of this, "If I were in Parliament, I would never suffer a night to pass over, without rising to ask Mr. Wynn whether any orders had yet been sent out to annul these most insulting, detestable, and degrading regulations, which place Englishmen in India below the level even of the most enslaved foreigners who bend their necks beneath the yoke of the Holy Alliance." We regret that he is not in Parliament to express his just and honest indignation there. It is an error, however, to suppose they were laws when Mr. Adam acted on them, by assigning a breach of these restrictions as his reason for removing Mr. Buckingham. They were not then laws, nor were they made so until some weeks *after* that individual had been punished for a pretended infringement of them. It is not, therefore, true that Mr. Adam was then called on by his duty to uphold them, or that he had no other course to pursue. There were three or four other courses, each better than this: 1st, to restore the censorship, which would have left the *property* of the sufferer safe; 2d, to order his desisting from writing publicly any longer, but giving him leave to turn his attention to any other pursuit of business, which would have left him the full enjoyment of his other qualifications, and all the advantage of his connexions in the country; 3d, to suspend the paper for a period, as has been done in France, allowing its revival, after due penalty and loss; or, 4thly, which would have been more dignified and effectual than all, to institute proceedings in a court of law, and visit the offender with its heaviest penalties. Each or all of these were open to Mr. Adam to pursue; and if it be said that the law would have been useless, as the act was not criminal in the eye of the law, this is the greatest reproach that can be cast on his memory, as setting himself above the law, and punishing, with the most ruinous infliction, an act to which a jury of his countrymen would not have awarded the slightest penalty whatever!

(11) This is an important admission: but what will the reader say to the fact of the Indian Government persisting in keeping up this improper appointment for two years, and after two successive orders sent out from this country by the Directors and Board of Control for Dr. Bryce's removal! Perhaps this ought not to be mentioned either, any more than the impropriety of the appointment itself. But it is remarkable, as proving, that although the Government of India is said, according to Mr. Wynn's version of the phrase, to depend on the opinion entertained of its acts by the authorities in this country, yet the parties forming that Government abroad care so little about these opinions here, on which their very existence is thought to depend, that they continually set them at naught, perpetually refuse to act upon them, and sometimes, in their despatches to this country, treat them with the utmost disdain and contempt:—verily, this "Government of Opinion" is at best a strange affair.

(12) The public documents will say the same of every Governor that ever yet left or ever will leave a country over which he has ruled for ever so short a period. Lord Charles Somerset has arrived with his portfolio full of such testimonies, and Lord Amherst will, no doubt, bring away as many. Let there be a free Press and an independent Public, and then these expressions of admiration and regret may be really worth something: at present they are worse than mere blank paper, for that, at least, is not stained with falsehood.

warned that these regulations would be enforced upon him, unless he changed his course; but he persisted, and they were enforced. (13) A great deal had been said upon the conduct of the Government towards Mr. Buckingham and his property, after his departure from India; but he was convinced he would be able to show there was nothing in that conduct inconsistent with justice to the individual, or a sound policy in those who were called upon to regulate his actions. The 'Calcutta Journal' had been pronounced a publication dangerous to the State, and it became necessary to suppress it; (14) but it must be obvious that it was impossible to do that, especially if the proprietor, who had blindly determined to persist in his course of mischief, was still allowed to hold a control over its affairs, or regulate the tone of its publications by the means of his friends or connexions. (15) He was, therefore, compelled to dispose of the materials of his Journal altogether, and the license, which warranted its publication, was withdrawn. That license was not, however, granted, as was asserted, to any adherent of the Government. (16) Upon the whole, he could not concur with the noble Lord, that any grievance had been inflicted upon the Petitioner greater than he justly

(13) We hope some member of the honourable House will take the hint, and introduce the Bill required. *Now*, they are law; when Mr. Buckingham was punished for a pretended infringement of them, they were *not* law. Even now, however, the Governor-General is not bound, but as he pleases, to act on them; nor did any violation of the original regulations necessarily involve banishment, but merely "such proceedings as the Governor-General in Council might deem applicable to the nature of the offence,"—and these might have been proceedings at law, which would have been far better suited to the nature of the offence than punishment before trial, which every truly English heart must abhor!

(14) It had never been so pronounced by any official authority. It was never so seriously considered. The idea that laughing at a Presbyterian divine dealing in pasteboard and leather could endanger a state, is too absurd to be entertained by any one; and the act for which the 'Calcutta Journal' was suppressed, was quite as incapable of producing the least mischief as it was merely republishing what had been published before in every part of India without danger or alarm, the arguments in favour of a free Press, proceedings of different assemblies at Madras and Calcutta, and the public reply of the Governor-General himself to a public address, tens of thousands of which had before been circulated freely in every quarter of India!

(15) As the Proprietor was separated from the Paper by the distance of thousands of miles in space, and six months in time, it was impossible that he could regulate its tone, or pursue therein a career of mischief: and as whoever wrote in the Paper there, must do so at his peril, it is clear that no influence of friends or connexions could remove that heavy responsibility. As to his sending out from England articles on the *chance* of their being printed there, he could have had no inducement to waste his time in doing this, when he could, as he does now, print these articles here without any control of censorship or license, and send them out to circulate freely wherever persons may desire to possess them. No suppression of Papers or Periodicals there will prevent this; and even if the 'Oriental Herald' were to be put down, it would be equally useless. There would be half a dozen Reviews, a dozen Magazines, a hundred Newspapers, in which the sentiments of the writer would be gladly published; and the India House and the Parliament, at which Memorials, Petitions, and Debates, could be continually introduced, whenever it was desirable to speak to the world on any subject of importance. All partial measures of suppression, therefore, short of destroying all presses, and rooting out all tongues, will be useless. They will only bring odium on the heads of those who attempt them, but will not advance them one step farther in their object. Let them reflect on this seriously, and they will be convinced, that since universal suppression cannot be obtained, the only other alternative is, to give ample verge and scope to freedom; so that in the fair combat of opinions, truth and sound reasoning may, as they always must in such encounters, triumph and prevail.

(16) This is not correct. The license was granted to an adherent of Government; and not merely to an adherent, but to a son-in-law (Dr. Munson) of one of the very members of the Government under whom it was issued.—Mr. Harrington, then and still a member of the Supreme Council of Bengal.

merited; (17) but if it was still considered that the subject required more ample discussion, he would be prepared to enter fully into its merits, whenever it was brought forward in a regular manner.

Mr. SCARLETT observed, that no action could be brought against the Government of India for the exercise of that prerogative, and the only mode of redress therefore left, was that stated by the noble Lord—a Select Committee of Inquiry. He was surprised that the House, who were said to be the guardians of the lives, the liberties, and properties, could hear one clause of the petition read, without instantly affording the Petitioner the means of redress. The Petitioner stated, that he was banished from India himself, and that the license or copyright of his Journal was taken from him and co-proprietors without compensation, and presented as a gift to the son-in-law of one of the Members of the Government. Could the House endure this statement without endeavouring to ascertain its truth? Not only was he banished, but the most valuable part of the property he left behind him was also taken from him without consideration. If these statements were proved, the Government of India deserved the reprehension of the House and the country for punishing a man without trial. Without giving him the opportunity of defending himself, they transported him, and destroyed his property; and then the only answer they gave him was, that it was given to his friend, Dr. Muston. He was unwilling to use any harsh terms, but this conduct was not only oppressive but corrupt; and should his noble Friend, acting upon the hint given him by the right hon. Gentleman opposite, give notice of a motion for a Select Committee of Inquiry on another day, he would certainly support him.

Mr. WYNN explained. He did not say that a license had not been given to Dr. Muston, but that the license of the 'Calcutta Journal' had been withdrawn, and another some time afterwards given to a paper called 'The Scotsman in the East.' That license had, however, no more connexion with the 'Calcutta Journal,' than with any other of the many papers in India. The property was exposed for sale; every body else had the same opportunity of purchasing as Dr. Muston. (18)

(17) The acts done were such as no law would indict a day's confinement or a farthing damages for doing. The punishment received for these acts, was—1st. Deep affliction to all the connexions and dependents of the individual, by the public censure of a powerful, and reputedly just and humane Government. 2dly. The irretrievable interruption of a career of fame, happiness, and fortune, in which the individual was likely, in the course of a very short period, to have acquired, in the most useful, honourable, and agreeable manner, a very high reputation, and a fortune of at least 100,000*l.* 3dly. The gradual and total destruction of all that he had earned, reducing him from an income of 8,000*l.* a year to actual beggary in the course of nine brief months, and leaving him now involved in debts which it may take him a whole life to repay. These are the *acts*, and these the *punishments* which Mr. Wynn thinks have been JUSTLY MERITED!! Graciously heaven! Do we lie among civilized beings to hear such sentiments as these? What is this but to rival the eternity of future torments, or the worm that never dieth, and the fire that is never quenched, when man—the image of his Maker—the noblest work of his hands—can give his calm assent, nay, approbation, to such a sentence as this!!

(18) If this had been true, a great portion of the heavy charge against the Indian Government would have been spared. But the 'Scotsman in the East' was the identical paper,—the 'Calcutta Journal,' with a mere change of name, to please the caprice of Government, who would not let it revive under its former title, and hesitated between calling it the 'British Lion,' and the name it at length assumed. It was printed at the same press, with the same types and paper, by the same workmen, and had all the same subscribers, who took it as the regular successor of the 'Calcutta Journal,' under the impression of their being one and the same interest. But the Government giving this renewed paper exclusively to the editor in their own service, Dr. Muston, he claimed the copyrights as his own, on the ground of such exclusive grant, and sold it as such to another individual, for a large consideration, which he claimed and retained as his own. It had, therefore, the closest possible connexion with the 'Calcutta Journal,' nor was the copyright at all exposed to sale, or open to the purchase of any other person, since the Government refused all applications for the revival or

Mr. J. SMITH joined in condemning the conduct of the Government of India in their treatment of Mr. Buckingham. They reduced him to poverty. They not only confiscated all his property, but encumbered him with debts. He regretted to see that every attempt made by Mr. Buckingham to obtain redress, was treated with contempt—though he had a large family, and claims which ought to have entitled him to some consideration, he was sorry that nothing had been given him. Such conduct, he contended, was oppression beyond the occasion. For these reasons, he would support the motion of the noble Lord, and hoped the result of the inquiry would be, that an injured individual would be redressed. (19)

Mr. ARTHUR said, Mr. Buckingham's punishment was the reward of his own misconduct. (20) He had often transgressed, and as often been pardoned, until the Government of India could not overlook what he was doing. Instead of being an injured individual, he was favoured before others to whom so many remonstrances might not have been made. (20\*) This question was already repeatedly discussed at the India House, where its merits were best understood; out of 3000 Proprietors of stock, only 127 were found to vote for its being taken into consideration. He therefore could not see what advantage public justice could derive by opening it again here. (21)

resumption of that Paper by its original owners, and literally gave it to Dr. Munton as his own, without any consideration whatever being even tendered to those from whom it was taken.

(19) This report of Mr. John Smith's speech, which is the best that can be gathered from the papers, from which all the others are compiled, (there being no exclusive reporter for this work then in the House,) is extremely meagre and imperfect. It was of much greater length, characterized by strong reasoning, as well as powerful appeals to the sympathy of those who heard him, and made a very general and deep impression on the assembly.

(20) This has been repeated a thousand and one times, and must be as often denied. There was no misconduct to which the laws would have awarded any punishment: and what is here called "his own misconduct," could only extend to that act for which he was removed from India. All *after* this was the misconduct of others: and for this, the whole weight of the punishment is made to fall on *his own* head! What notions of justice for one who sits to legislate for millions in a distant land!

(20\*) So far is this from being true, that libellers in India, convicted of the most false and atrocious calumnies by a British judge, were never once remonstrated with, but rewarded with places of trust and emolument, because their slanders were directed against the devoted victim of power; and notwithstanding the utmost conceivable licentiousness of the press in the hands of Mr. Buckingham's persecutors and enemies, not one of them has ever been removed, a rupee taken from them, or a hair of their head injured!!

(21) This last instance of exaggerated mis-statement, for disingenuousness is not a term by which its character can be clearly understood, is such as any public speaker, even from the India House, ought to be ashamed to use. When Mr. Buckingham's claim was put to a ballot of the India Proprietors, great efforts were made to obtain the consent of the Directors for having the ballot on the day when the greatest number of Proprietors should be in town, (namely, on the day when the election of Directors was to be held.) This they as obstinately resisted, on the miserable pretence of people's feelings being too greatly excited at such a moment. What was the consequence? By this denial of the commonest act of justice, no more than 593 votes were polled in the whole, (instead of 3000, as reported in most of the papers,) yet, out of these 593, which included all the thirty Directors with their two, three, and four votes each, the very females of many of their families brought down, to do violence to the gentler feelings of their sex and nature by voting *against* the claims of a destitute and helpless family of infant children, all the India House secretaries, clerks, and assistants, all the dependent contractors, warehouse-keepers, ship-owners, builders, tradesmen, and every other branch that could be available from its permanent accessibility in town;—out of *all* these together, there were but 436 who voted against the grant, while 157 voted in favour of it, at a moment when almost all the independent Proprietors, not connected with the Company's establishment, and living at a distance from London, were absent from the scene.



The petition was then brought up.

Lord JOHN RUSSELL then moved, that it lie on the table, to be referred to a Select Committee to examine the matter thereof, and to report their opinion thereon to the House.

Dr. PHILLIMORE said, that every man who had heard the speech of his right hon. Friend, the President of the Board of Control, must be convinced that no ground was laid for the charges which Mr. Buckingham had brought against the Indian Government. By the law, as it now stood, no man could reside in the territory of the East India Company without receiving a special license to do so. It was equally law that the Governor-General could revoke that license, if he so thought fit. Now what had been the conduct of Mr. Buckingham? He had established a newspaper in 1815, which began by attacking, first the character of private individuals, (22) and next the measures of public men, and which ended by arraigning, in most unmeasured terms, the transactions of the Government in the Nizam's country, and of the army in the territory of the King of Oude. These attacks were regularly translated and circulated in the Native languages of India. (23) Now in a country which we held solely by the influence of opinion, was it to be understood that we could retain our supremacy, if individuals were allowed to arraign the Government unreservedly in newspapers? (24) The noble Lord who presented the petition had said, that Lord Hastings had given a free press to India. Now he contended that Lord Hastings had done no such thing. His Lordship had abolished the antecedent censorship, but had erected a tribunal, to which all publications were, after publication, to be referred for its approval. (25) The notices which Mr. Buckingham had received, that any future infraction of the commands of Government would be punished by his dismissal, had been frequent. In 1821, this notice had been repeated in the most unequivocal manner. It had been said that, since his return, Lord Hastings had declared, that he had no intention of strictly enforcing these notices; but the proceedings of the council in India, at which Lord Hastings presided, left no room for doubt on the subject, and it was by his acts, not by any intention which he now thought fit to express, that the late Governor of India must be judged. The notice which Mr. Buckingham received, stated that if he per-

(22) The best answer to this charge is, that, even in that feverish state of society, no prosecution was ever instituted for attacks on the characters of private individuals—a pretty clear proof that none were ever made; but the following extract from the speech of Mr. Fergusson, the leading Counsel at the Indian Bar, when the 'John Bull' was convicted of libels on private character, characterized by the Judge as "too atrocious to be thought of without horror," will give the English reader the most correct idea of what was said and thought of that paper in the city in which it was published, and where persons can best judge of its merits or demerits. On that occasion the Counsel said, when speaking of the 'Calcutta Journal,'—"He (the opposite Counsel) had not been able to produce one libel on private character; there was not a single word of calumny on any private individual. In fact, upon his learned friend's own showing, *there could not be a purer paper in existence.*"

(23) The transactions in these countries were generally too little known to form a common subject of animadversion, and were therefore very seldom touched on at all. But they were never arraigned in the unmeasured terms here spoken of, nor were there any regular translations from the English papers into the Indian languages, as far as we ever heard; if indeed that were even likely, when the Natives must have been the source of such information, and therefore much better acquainted with it than the English themselves.

(24) There could not be an *unreserved* arraigning of any body or anything, where the English libel law prevailed, and where the Judges alone, without juries, might convict and assess damages. What is called the *unreserved* arraigning, were insinuated doubts, often of the most timid and ambiguous kind, and never the direct censures in which an Englishman would indulge in his own country.

(25) This is the first time we ever heard of such a tribunal, unless it be meant that the Government erected themselves into one, to supersede the law. But this last would have been a thousand times preferable to any other.

sisted in *abusing* the Government, his license would be annulled, and he would be compelled to quit the country. (26) In 1822, he committed a similar offence in traducing the Government of India respecting the kingdom of Oude. Lord Hastings then communicated to him a notice, that although the long-tried forbearance of the Government had been found to be ineffectual, he was disposed to give him the advantage of one more warning, and he was therefore finally apprized, that if he should again venture to impeach the validity of the statute which had been quoted on the authority under which the present or any *future* Government should act, (27) his license would be cancelled, and he would be ordered forthwith to depart from India. In January 1823, very soon after this last notice, the Marquis of Hastings left India; and no sooner was he gone, than Mr. Buckingham repeated his attacks upon the Government. (28) Mr. Adam acted immediately with a promptitude which he (Dr. Phillimore) thought did him infinite credit, and ordered Mr. Buckingham out of the country. In all that had been done, there was no undue exercise of authority; the punishment which had been inflicted on Mr. Buckingham was strictly conformable to the law; and if it had been severe, he had no one to complain of, because he had brought it upon himself. (29) When the House considered the vast importance of our possessions in India, and the slender tie by which they were held—that a handful of Europeans exercised supreme sway over many millions of the Native people, and that our empire was maintained by opinion alone—they must see that if the same freedom of discussion were allowed to prevail in that country as we enjoyed here, and if individuals were permitted to traduce the Government through the means of the press, it would be impossible to retain the power and the advantage which this country so justly valued. (30)

Mr. TRANT spoke from under the gallery, and was in a great measure inaudible. We understood the hon. Member to say, that he thought Mr. Buckingham properly removed from India, though he did not approve of all the proceedings connected with that removal. He was never in his life more perplexed than to decide whether strict justice was done in the case. At the time when the principal part of the transactions occurred, he was residing in India, and had better opportunities of judging, and perhaps on that account differed from many honourable Gentlemen with whom he usually agreed. A

(26) The notice stated no such thing; nor were the Government ever *abused*, in the ordinary acceptation of that phrase. They were spoken of on almost all occasions with more respect than subsequent events show them to have deserved.

(27) This is a more sweeping prohibition than any that has appeared yet.

(28) All India can testify to the extra caution used after Lord Hastings's departure; and to such an extent was this carried, that the rival papers perpetually taunted the Editor of the 'Calcutta Journal' with a decay of his original spirit, exclaiming, in the language of Shakspeare,

"High-reaching Buckingham grows circumspect."

But all this circumspection availed him nought.

(29) This must have been repeated on the authority of Mr. Astell, and without thinking for himself; for surely no learned practitioner of Doctors' Commons could be so blind as not to see the distinction between the lesser punishment of banishment for his own sins, and the much heavier one of total ruin for the sins of others.

(30) To explain the extraordinary fondness for fallacies which could induce the honourable and learned Member to travel again over the ground already trodden by his predecessor and superior, it should be explained, that Dr. Phillimore was speaking against time, in order to weary the Opposition Members, and drive them away to dinner, as well as to give time for Ministerial Members to drop in, and in this he succeeded to a considerable extent; but for which, if the division had taken place before he rose there would have been a majority of nearly twenty in favour of the motion, instead of three; and if he had continued five minutes longer on his legs, the division would have been lost, by the mere continual accession of Treasury voters entering the House at the time. When a speech is made for such a purpose, it is not, perhaps, generous to be too critical.

case might occur where the stretch of authority might be too severe, and he believed that the present instance formed a proof that such a case did occur. (*Hear.*) He thought Government should not interfere, unless when paragraphs appeared in newspapers affecting the repose of the state. He regretted to differ from those with whom he generally acted, but felt that he was called upon by a sense of duty, on an important review of the whole conduct adopted towards Mr. Buckingham, to vote for the motion of the noble Lord, (Lord J. Russell.) The hon. Gentleman proceeded to comment upon the course pursued towards Mr. Buckingham; but the cries of "Question" became so loud and frequent as to render his observations totally inaudible.

The gallery was cleared, and a division took place—

For referring the petition to a Committee . . .	43
Against it . . . . .	40
Majority . . . . .	—3

#### House of Commons, Thursday, May 11, 1826.

LORD JOHN RUSSELL moved, that the Committee, to which Mr. Buckingham's petition was referred, might be empowered to examine witnesses, and send for papers, &c.

MR. C. WYNN said, that he might, with great propriety, move, that the order which the House had made on a former evening on this subject should now be rescinded. (*Hear, hear, from the Opposition benches.*) And the ground upon which he should be justified in doing so was, that there had been no notice of the motion which the noble Lord had carried. He (Mr. Wynn) had, at first, resolved to do so, but he had since abandoned his intention, and he would tell the House why. It was, because the case was one in which an individual complained of having suffered great hardship; if it had been of a different description, he should certainly have acted upon his original resolution (1). The noble Lord communicated to him, and to another gentleman on his side of the House, his intention of presenting a petition, but he had given no intimation whatever that he purposed to follow it up by a motion, and certainly he could not have imagined the noble Lord intended to make such a motion as that which had been proposed. Knowing, as he did, the noble Lord's usual courtesy in all the business which he brought before the House, he should not have believed it, if he had been told that any such proceeding would have been adopted by him. He did not now rise to oppose the motion; but as the noble Lord, in forming a Committee of sixteen, had taken only five members from this side of the House, the other eleven being selected from the opposite benches, he should move the addition of other names to the Committee (2).

Colonel DAVIES said, he was sure his noble Friend had no intention of taking the House by surprise. He had not requested him to attend, nor, as he believed, many other gentlemen who were usually in the habit of acting with him.

LORD MILTON said, he supposed the reason of the right hon. Gentleman's

(1) If this were the *real* reason, it would have operated as powerfully to induce Mr. Wynn to accede to the *first* motion of referring the case to a Committee. But, although Mr. Buckingham has for three years past "complained of having suffered great hardship," Mr. Wynn has uniformly opposed not only all redress, but all inquiry into his case: and now that such inquiry is *forced* upon him by an accidental majority, he affects wonderful forbearance, for not proposing that the motion for such inquiry be rescinded, and states as his reason for abstaining, a pretended regard for justice, which had never before been sufficiently strong to induce him to act on it. The merest novice, in the detection of fallacies, must see through this.

(2) The truth is, that in such an inquiry as this, it was unjust to place even these five on the Committee, since they had not only voted against all inquiry, but had already prejudged the case, as Members of the Board of Control and India Directors; and were, therefore, called on to sit in judgment in their own cause!

complaint was, that no Treasury notes had been issued on the occasion. (*A laugh.*)

Mr. HOBHOUSE said, that so far from there having been any intention on the part of his noble Friend, or any other of his friends, to take the House by surprise, he had himself requested his noble Friend to put off the motion. He had no reason for doing so, but that he thought any other occasion would be just as favourable to its success as that on which it was made. He could not sufficiently express his surprise at the intention which the right hon. Gentleman (Mr. Wynn) avowed. If he had carried it into execution, he asked what would be the inference of the country? The most ardent reformer that ever lived would not wish that such a picture should be held up to the country of the state of the representation—that because the benches on the right hon. Gentleman's side of the House were not so well filled as usual, any motion which happened to be made at that time was afterwards to be rescinded. Would it be openly insisted, that if by an accident,—a rare one, it must be confessed,—they, on that side of the House, succeeded in carrying a question, it was afterwards to be decided over again at an opportunity which Ministers might think more favourable? They would remember that the same thing might, if the example should once be set, be practised on that side of the House. He did not see why this question differed from any other, of why it required any more notice than the corn question, which had been so lately proposed.

The CHANCELLOR of the EXCHEQUER said, his right hon. Friend (Mr. Wynn) had been misunderstood. Undoubtedly the rules of the House were not made for the convenience of one side or another; and he believed that, if the course now complained of should be adopted on that side of the House, gentlemen opposite would complain of it bitterly, and with great justice. He must confess he was surprised that the noble Lord should have made this motion without notice. He was himself on his way to the House on the evening on which it had been made, but hearing that there was nothing before the House but petitions, he was ashamed to say he turned back again. (*A laugh.*)

Mr. CALCRAFT said, that the observations of the two right hon. Gentlemen showed that it was only by a sudden movement that gentlemen on that side of the House could hope to carry any measure. The right hon. Gentlemen were so reasonable as to wish that such notice should on all occasions be given as would enable them to provide that majority which they could always command. If the right hon. President of the Board of Control thought fit to put his threat of rescinding into execution, he might do so. For his own part, he should say, "Let him;" but he did not believe that he would do so.

Mr. BROUGHAM was a good deal surprised at this discussion. He remembered that on the night when the order was made, a learned Friend of his from Doctors' Commons (Dr. Phillimore) had made a speech on the subject, in which he occupied no small portion of the time of the House—profitably, no doubt, to the House, and certainly not unprofitably to the division; for, during the space of time which his learned Friend covered in his exertation, a considerable number of the Members, who were usually under the care of the Chancellor of the Exchequer, entered the House, and, when the division came on, were found as steadily as usual at their posts. During the same speech, but he would not venture to say for what reason, several gentlemen on his (Mr. Brougham's) side of the House left, and were absent at the division. (*"Hear," and laughter.*) He, therefore, did not believe that the House had been in any way taken by surprise. He was, however, extremely glad that the Committee had been appointed, because an opinion had gone abroad that Mr. Buckingham had experienced very hard usage, and this Committee would afford an opportunity of examining into the truth of that opinion.

Dr. PHILLIMORE said, he thought he had a right to complain that the noble Lord had not given any notice that he intended to move for a select Committee. He had certainly stated that he would bring the petition under

the consideration of the House, but he did not even hint that he would follow up that proceeding with a motion for a select Committee. And he for one must say, that in the speech which he had delivered on the petition being presented, he was not influenced by any idea that the noble Lord meant to call for a select Committee. He might have been imprudent in the speech he had made, but he must say, that in addressing the House on that occasion, he was not actuated by any consideration connected with the division which afterwards took place. It arose entirely from his decided opinion on this matter, which was, that the whole of this proceeding did not originate in any feeling of compassion for Mr. Buckingham, but arose from a desire to carry on indirectly, an attack upon the late Mr. Adam—(hear, hear)—an individual whom, in his conscientious opinion, he believed to be one of the best and most valuable servants the Company had had for a long time. (Hear.) Unfortunately for the Company, death had closed the career of that distinguished individual. He was not there to defend himself; (3) and he thought it but fair to say thus much in justification of that gentleman's character.

Mr. BROUGHAM said, that if the motion in question had been introduced for the purpose of levelling an attack against the lamented individual whose name had been mentioned, or if he thought that by possibility (which he did not) it could lead to such an attack, he would have been the very last man to have given it his support. (Hear.) (4)

Dr. PHILLIMORE said, he undoubtedly never thought that the noble Lord or his learned Friend would make themselves parties to such an attack; but he knew that many persons, in bringing forward this question, had mixed up the character of Mr. Adam with it in a most unjustifiable manner. (5)

Lord J. RUSSELL defended the course he had taken on Tuesday evening. The gentlemen around him had no more notice of what he meant to do than the learned Gentleman had. And when he (Lord John Russell) stated that he would introduce the petition, he did not give notice of what he would afterwards do, because he wished to leave it open to himself to pursue that course which might, under the peculiar circumstances of the case, appear to him to be necessary. He considered the course which he had adopted to be as regular as any other that could be pointed out. He conceived that he, or any other member, was competent to bring forward the motion without giving notice to the House. He saw no reason why he should adopt a course

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(3) This thread-bare fallacy is the last resort of official dullness; and is now so well appreciated, that even the country gentlemen smile when they hear it. If no public character ought to be made the subject of animadversion in the House of Commons, but such as were actually present to defend themselves, the range of public censure would be brought within narrow limits indeed. But since the death or absence of individuals seems to be no bar to their being unjustly praised, it ought not, till that is the case, to be admitted as a reason why the truth should not be equally spoken of them when it exhibits their characters in less favourable colours.

(4) This excessive tenderness towards the character of Mr. Adam, one of the members of a powerful Whig family, is the only reason that we have yet been able to discover why his memory has not been branded, as it deserves to be, with public obloquy. But if tyrants are to be culogized by Tories, because they are supporters of absolute principles, and to be sheltered from attack by Whigs, because, however they may have violated liberal principles, they still belong to their sect or caste; there is then an end to all distinctions; and the best course for any one who wishes to play the despot with safety, to pursue, is, to secure the alliance of professed reformers, by a profession of their sentiments: and then, let his conduct be what it may, he will be sure of support from both parties.

(5) If Mr. Adam has been a principal actor in the scenes and events described, and to him alone are the detestable laws for fettering the Indian press attributable, how can it be unjustifiable, to mix his name up with acts of which he professed to be even proud to be the author?

of proceeding which would enable Ministers to issue their summons to individuals in that House who were the representatives of Downing-street (a laugh)—calling on them to give their vote on a question, the merits of which they had not heard discussed. (*Hear.*) He thought it was always better to have a question decided by those who had listened to the discussion (which was the case in this instance) than by those who had not. (*Hear.*) Many persons voted in favour of the motion, who generally voted against the Opposition,—a circumstance which of itself afforded sufficient proof that the question was not carried by improper means. As to the subject itself, it had long been before the public, it had been agitated in various ways, and was therefore a question of which no man could pretend to be completely ignorant. The learned Gentleman who had just sat down had asserted, that these attempts to procure redress were in reality brought forward to lower and degrade the character of Mr. Adam. He, for one, must solemnly disclaim any such intention. (*Hear.*) Until he perfectly understood the nature of the case, he had felt unwilling, from his knowledge of the family of Mr. Adam, and from the character which that gentleman bore as acting Governor-General of India, to have any thing to do with it. But when he at length found that Mr. Buckingham had been refused redress in every quarter to which he had applied, he thought that no consideration of the family connexion of any individual ought to prevent him from bringing forward a case, which appeared to him to be one of very severe and singular individual hardship. (*Hear.*) He considered that it was his privilege to bring forward the motion in question without notice. He was not obliged to give the Treasury an opportunity to send forth their notice, and to bring down their regular pack to vote on the occasion. (*A laugh.*)

Mr. HUME said, that Mr. Adam's character or conduct had nothing to do with this petition. Mr. Buckingham complained of the destruction of his property, which had taken place after Mr. Adam had left the government, and when he was absent for the benefit of his health. The sending Mr. Buckingham from India by Mr. Adam, and the subsequent destruction of his property under the government of Lord Amherst, were two very distinct questions.

Mr. ASTELL said, the hon. Gentleman (Mr. Hume) wished to persuade the House that the case of Mr. Buckingham, as it had been brought before them, applied only to the destruction of his property subsequently to his leaving India; but he (Mr. Astell) begged leave to say, that the great grievance of Mr. Buckingham, and that which formed the principal feature of his complaint, was his removal from India, which was set forth at large in his petition. That removal had been rendered necessary by his own conduct, and the conduct of the subscribers to his paper, who were continually vilifying Government. (*Hear.*) The House ought not, therefore, to be led away by the partial statements of the hon. Gentleman. As Mr. Adam's name had been mentioned, he would take that opportunity, as he would seize every opportunity that occurred, to do that individual justice. (*Hear.*) He would say of him, that a more able, zealous, or upright servant of the East India Company never lived. (6) (*Hear.*) The loss of that excellent man could not be easily repaired, and he must say that the name of Mr. Adam had been most unjustly coupled with these proceedings.

Mr. WETHERELL observed, that Mr. Buckingham having appealed to the Privy Council, and that body having decided against his appeal, he thought it was a most unusual course to bring the subject before Parliament. In common fairness, a notice of the noble Lord's intention to move for a select Committee ought to have been given; because he believed many individuals would

(6) And yet he did not dare to let the public opinion, respecting himself, be uttered in India, or known in England! If this were the sentiment entertained by the majority of his fellow-subjects in India, where he was best known, why did he so dread the expression of that sentiment, as to put public opinion under greater restraints than it had ever before endured in India? Posterity, in looking back upon his odious laws, will justly execrate his memory.

have voted against the motion had they been aware that it was a matter between Mr. Buckingham and the East India Company on which the Privy Council had adjudicated. (7)

\* The motion was then agreed to.

On the motion of Lord JOHN RUSSELL, Mr. Abercrombie and Sir C. Forbes were added to the Committee.

Mr. W. WYNN then moved, that Mr. Stuart, Colonel Baillie, Mr. W. Peel, Sir E. H. East, Mr. Ross, Lord G. Somerset, Mr. Wellesley, and Colonel Lushington, be added to the Committee.

Lord MILTON thought the addition of these names to the Committee was highly objectionable. They were persons connected either with the Government of India, or holding places, or closely connected with those who held places, under the Crown. This was by no means conformable to the course pursued by his noble Friend (Lord J. Russell), who had selected a Member alternately from each side of the House (*Hear, hear!*), in order that the Committee might be fairly and impartially constituted. (*Cheers.*)

Lord J. RUSSELL thought it was extremely objectionable that persons should be appointed on this Committee, who, in another capacity, had decided upon the case of Mr. Buckingham. The measures complained of were acts of the Government of India, and those connected with Government were naturally interested in defending them. His object was to have an impartially constituted Committee; and he thought it was unfair, for the purposes of impartial investigation, that a disproportionate number of persons on the other side of the House should be upon it. If such a Committee as that now sought to be instituted had been proposed to Mr. Speaker Williams, when that gentleman presided over the discussions of that House, he was sure it would have been received by him with an expression of the utmost dissatisfaction.

Mr. PEEL said, he thought that Mr. Speaker Williams would have viewed quite as unfavourably the Committee which the noble Lord (Lord J. Russell) wished to have appointed. On looking over it, he by no means found that it was so impartial a constitution as had been stated. Instead of the numbers being chosen alternately from each side of the House, it would be found that there were thirteen on the Committee who might be considered as favourable to the claims of the Petitioner, and who were not in the minority on the motion for the appointment of the Committee. He could not but recollect the circumstances under which the division took place, and how eagerly it was pressed for, just before seven o'clock, at the very moment that the hon. Member for Oakhampton (Mr. Trant) was arguing in favour of the claims of the Petitioner; yet, in the wish of the hon. Gentlemen opposite to come to a decision at that time, they manifested the greatest impatience, and he never saw Gentlemen so ready to waive the advantages of an argument in their own favour (*a laugh*), in order that the discussion might come to a termination. The right hon. Gentleman went over the list of the Committee to show that it was formed in the objectionable manner he had stated.

Mr. HUME repeated, that the Committee was not properly constituted. The truth was, that the motion met, he believed, with unexpected success, and he proposed a Committee from a list which was drawn up at the moment, and which was framed with a view to the Committee being impartially constituted.

Mr. TRANT wished to assure the right hon. Gentleman, that however biased his own mind might be upon a Committee, that he (Mr. T.) en-

(7) Mr. Wetherell is the Solicitor-General of the Crown, and so well is he informed of the public business of the state, that he mistakes an appeal against certain laws passed by Mr. Adam, for an appeal against acts destructive of property by Lord Amherst. The appeal to the Privy Council was wholly relating to the freedom of the Indian press. In the petition now under discussion, not the slightest allusion is even made to that subject! So accurate is the knowledge of the legal functionaries of Government, on subjects on which they have not the good sense to be silent, which is always practicable.

tered into the Committee on which he was appointed, without any bias whatsoever. He spurned any imputation upon him, charging him with partial or unfair views. He was prepared to give, whatever matter should come before him in the Committee, the fullest and most fair consideration. (*Hear, hear!*).

Mr. PERL did not mean to impute any undue bias to the hon. Member. He had only spoken of a bias on his own mind previous to going into a Committee, and did not extend that imputation to any other honourable Member.

Mr. SCARLETT said, that whoever might be appointed upon the Committee, much must be left to the candour and fair intention of Government in allowing it to be prosecuted, for they could now, if they pleased, defeat it altogether by throwing embarrassments in the way of the Committee. If they wished to exercise the power they had of suppressing it, they might do so, and they who sat on his side of the House could not help it. He hoped, however, they would not, as the subject was, in his opinion, a very proper one for inquiry.

The motion for increasing the Committee by the Members nominated by Mr. Wynn, was then put and carried unanimously. (8)

## CIVIL AND MILITARY INTELLIGENCE.

### CALCUTTA.

#### BHURTPOREAN ARMY.

The Army which has taken the field against Bhurtpore, is divided and brigaded as follows :—

*Division of Cavalry*, under Brigadier-General Sleigh, C. B.—1st Brigade, H. M.'s 16th Lancers, the 6th, 8th, and 9th regiments L. C.: Brigadier G. Murray, C. B. to command.—2d Brigade, H. M.'s 11th Dragoons, the 3d, 4th, and 10th L. C., Brigadier M. Childers to command.—Brigade of Irregular Cavalry under Col. Skinner, 1st and 8th Local Horse.

*First Division of Infantry*, under Major-General T. Reynell, C. B., consisting of the 1st, 4th, and 5th brigades :—1st Brigade, H. M.'s 14th Foot, the 23d and 63d N. I., Brigadier-Gen. J. M'Combe.—4th brigade, the 32d, 41st, and 58th N. I., Brig. T. Whitehead.—5th Brigade, the 6th, 18th, and 60th N. I. Brig. R. Paton, C. B.

*Second Division of Infantry*, under Major-Gen. J. Nicholls, C. B. consisting of 2d, 3d, and 6th brigades.—2d Brigade, H. M.'s 59th Foot, the 11th and 31st N. I., Brig. G. M'Gregor.—3d Brigade, the 33d, 36th, and 37th N. I., Brig.-Gen. J. W. Adams, C. B.—6th Brigade, the 15th, 21st, and 35th N. I., Brig.-Gen. W. T. Edwards.

*Artillery*, under Brig. A. M'Leod, C. B. *Battering Train*, under Brig. Hetzler, C. B. *Horse Artillery and Field Batteries*, under Brig. C. Brown. *Engineers*, under Brig. Anbury, C. B. The Field of Artillery occupied a line of march of fourteen or fifteen miles in extent.

(8) That is, on a Committee appointed to inquire into and report on certain grievances already laid before the Court of Directors and Board of Control, and by each of these refused redress; the leading members of these two bodies, including the most hostile of each, are to sit in judgment on matters deeply affecting their own conduct and reputation, as well as that of their servants and dependents, and in which they cannot possibly report favourably of the case of the petitioner, without passing a vote of censure and reprobation on themselves! After such a precedent, it would materially abridge the labours of justice, if independent judges and impartial juries were at once abolished: for then, in all cases of oppression and wrong, the evil doers themselves might be placed upon the judgment seat, to hear the appeal of the oppressed against their own misdeeds, and to pronounce judgment on their own innocence, or guilt. The progress of such appeals would be but short—the result would be certain. The petitioner who should be compelled to bow to the sentence of such a tribunal, might abandon his case before hand, and submit at once to the worst,—a process that would relieve both parties of much unnecessary trouble!



## MADRAS.

## CIVIL APPOINTMENTS.

Jan. 13, 1826.—Mr. J. Dacre, third Judge of the Provincial Court of Appeal and Circuit for the Centre Division; Mr. A. D. Campbell, third Member of the Board of Revenue; Mr. G. J. Waters, Judge and Criminal Judge of Chittore; Mr. J. M. Macleod, Tamil Translator to Government; Mr. James Thomas, Deputy Accountant General in the Military Department; Mr. F. Lascelles, Register to the Provincial Court of Appeal and Circuit for the Western Division; Mr. C. P. Brown, Register to the Zillah Court of Cuddapah; Mr. J. Goldingham, Deputy Tamil Translator to Government; Mr. A. Freese, Head Assistant to the Principal Collector and Magistrate in the Northern Division of Arcot.—20. Mr. J. Clulow, Head Assist. to the Collector and Magistrate of Bellary; Mr. H. Williams, Assist. to the Principal Collector and Magistrate of Canara; Mr. S. Crawford, Assist. to the principal Collector and Magistrate of the Southern Division of Arcot.

## MILITARY APPOINTMENTS.

Fort St. George, Dec. 17.—Capt. H. Kyd, of the 2d Europ. Regt., is app. a Member of the General Invaliding Committee assembled in Fort St. George.—20. Major R. E. Milbourne of the Engineers, to be Acting Chief Engineer, with a seat at the Military Board; Capt. D. Sim, of Engineers, to be Inspector-Gen. of the Civil Estimates.—21. Lieut. J. P. Woodward, 9th N. I., is app. to the 1st Bat. Pioneers, v. Milne, absent on sick certificate.—23. Maj.-Gen. Hall to command the Southern Div. of the Army; Maj.-Gen. W. H. Hewett, C. B., is placed on the Gen. Staff of the Army of Fort St. George, and is app. to command the troops in the ceded districts; Lieut.-Col. J. Nixon, of the Infantry, to be Judge-Adv.-Gen. of the army, v. Leith, prom.; Lieut.-Col. F. P. Steward to act as Judge-Adv. Gen. during the absence of Lieut.-Col. Nixon on foreign service.—21. Capt. D. Allan is app. to the 2d Native Vet. Bat., and will join at Cuddalore.—27. Lieut. C. A. Browne, 15th N. I., is app. to do duty with the 13th N. I. in Ava.—30. Capt. F. Blundell, of the Artillery, to act as Commis. of Stores at Cannanore, during the absence of Capt. Brett; Lieut. G. Middlecoat to act as Adj. to the 2d Bat. of Artil. during the absence of Lieut. Bell on foreign service.—Jan. 6, 1826. Ens. Hoffman is app. to do duty with the 12th N. I. until further orders, and is attached to the Recruiting Dépôt.

## PROMOTIONS.

2d Regt. L. C.—Senior Lieut. Brevet-Capt. J. Morison to be Captain, and Sen. Cornet W. T. Boddam to be Lieutenant, vice Allan, invalided.

Infantry.—Sen. Lieut.-Col. J. Mackenzie, C. B. of the Infantry, to be Lieut.-Col. Com., v. Macdowall, killed in action; Sen. Major J. Ford, C. B. from the 2d regt. of Native Infantry, to be Lieut.-Colonel in succession to Mackenzie, promoted.

2d Regt. N. I.—Senior Capt. E. Osborn to be Major, Senior Lieut. W. Prescott to be Captain, and Senior Ensign J. H. B. Congdon to be Lieut., in succession to Ford, promoted.

10th Regt. N. I.—Senior Ens. J. R. Fennel to be Lieut., v. Tranchell, dec.; Senior Ensigns F. W. Hoffman and J. F. Elliott to be Lieutenants, v. Piteairn and Wright, dec.

25th Regt. N. I.—Lieut. J. Mann to be Adjutant, v. Sparrow, permitted to return to Europe.

35th Regt. N. I.—Senior Ens. P. Oliphant to be Lieut., v. Rankin, dec.

48th Regt. N. I.—Senior Lieut. A. A. Mussita to be Captain, and Sen. Ens. G. Gordon to be Lieutenant, v. Tagg, deceased.

Artillery.—Senior First-Lieut. W. Brooke to be Captain, v. Lewis, deceased; Lieut. J. Aldritt to be Quarterm., Interp. and Paym. to the 1st Batt., v. Blundell, prom.; Lieut. J. G. B. Bell to be Adjut. to the 2d Batt. v. Aldritt.

Dec. 30.—J. A. Cundell of the 31st regt. of Light Infantry is re-admitted on the Establishment from the 20th October last.

## FURLOUNDS.

To Europe.—Cornet H. Welsh, 1st regt. L. C., on sick certificate; Ensign J. D. Oliver, 6th regt. N. I. on ditto; Ensign J. Hunter, 28th N. I. on ditto.

## BOMBAY.

## CIVIL AND ECCLESIASTICAL APPOINTMENTS.

*Bombay Castle*, Sept. 20.—Mr. E. G. Fawcett, Assist. to Registrar at Poonah.—Nov. 5. The Rev. T. Carr, A. B., to act as Archdeacon of Bombay from date of departure to England of the Venerable G. Barnes, D. D.—10. Mr. J. Forbes, Acting First Register and First Assistant to Criminal Judge at Court of Adawlut at Surat; Mr. D. Blane, Register at Sholapoor, and Assistant to Criminal Judge of Poona and Sholapoor; Mr. J. H. Ravenshaw, Acting First Register at Poona; Mr. H. Brown, Second Register to Court of Adawlut at Ahmedabad, and to officiate as First Register at that station; Mr. H. A. Harrison, Acting First Assistant to Collector in Southern Concan; Mr. R. C. Money, Acting Second Assistant ditto; Mr. Henry Young, Acting First Assistant to Collector at Surat.

## MILITARY APPOINTMENTS.

*Bombay Castle*, Sept. 17, 1825.—Lieut. S. Slight, employed on survey of Kattywar, placed at disposal of Commander-in-Chief.—20. Col. M. Napier, H. M.'s 6th Foot, to command Force ordered to assemble in Cutch.—21. Capt. R. O. Meriton, 2d European regiment, placed at disposal of Commander-in-Chief, for field service; Lieut. J. Swanson, 19th N. I., to act as Assistant Quarterm.-Gen. to Guicawar subsid. force, v. Morse; Lieut. R. M. Cooke, to act as Adjutant to 19th regt., v. Swanson.—26. Lieut. Peat, Executive Engineer in Northern districts of Guzerat, placed at disposal of Commander-in-Chief, for field service; Capt. W. Havelock, H. M.'s 4th Dragoons, and Aid-de-Camp to Commander-in-Chief, to command a rissala of Irregular Horse, at Poonah.—Oct. 6. Maj. Jackson, 6th Dragoon Guards, and Aide-de-Camp to Commander-in-Chief, to be Military Secretary to his Excellency, v. Lieut.-Col. T. H. Blair, resigned, to enable him to join H. M.'s 87th Foot, under orders for field service.—Dec. 23. Capt. Frederick to be Superintending Engineer at the Presidency, v. Remon, dec.; Capt. Pouget to be Civil Engineer, v. Frederick; Lieut. Bell of the 9th N. I. to the charge of the Commissariat accompanying the brigade at Kawlapoor.

*Staff of Cutch Field Force*.—Capt. T. Leighton, Major of Brigade, to be Assistant Adjutant-General; Capt. A. Morse to be Assistant Quartermaster-General, Capt. Falconar, of Artillery, to be Commissary of Stores, without prejudice to his command of Foot Artillery; Capt. Waite to be Sub-assistant Commissary-General; Capt. Moore, Paymaster in Surat division of army, including Cutch, will join the force as Paymaster; and Capt. C. Payne, already in charge of Bazaars in Cutch, to be Bazar-master.

## PROMOTIONS.

*7th N. I.*—Ens. G. C. Stockley to be Lieut., v. Glennie, dec.; dated 24th March.

*16th N. I.*—Sen. Capt. J. Snodgrass to be Major; Lieut. H. L. Anthony to be Capt.; and Ens. C. Hunter to be Lieut., in suc. to Lamy, dec.; date 24th August.

*Regt. of Artil.*—Sen. Lieut. Col. C. Hodgson to be Lieut. Col. Com., v. Bellasis, dec.; Sen. Maj. R. M'Intosh to be Lieut. Col., v. Hodgson, prom.; and Sen. Capt. L. C. Russell to be Major, v. M'Intosh, prom.; date 30th Sept.

## MEDICAL APPOINTMENT.

Sept. 26.—Assist. Surg. Machell to have temporary charge of medical duties of H. C.'s cruiser *Amherst*, and Sub. Assist. Surg. Dickson relieved from that charge.

## FURLOUGH.

Maj. F. Farquharson, 22d N. I., is permitted to proceed to England on sick certificate for three years.

## CEYLON.

## CIVIL APPOINTMENTS.

Dec. 10. C. Scott, Esq., Provincial Judge of the district of Galle and Matara, in room of E. C. Layard, Esq., removed; J. A. Farrell, Esq., ditto of

Colombo, in room of W. H. Hooper, Esq., proceeding to England on leave; J. G. Forbes, Esq., Collector of Chilaw, and Provincial Judge of Calpenty, v. J. Farrell, Esq.; C. Brownrigg, Esq., Collector of Jaffnapatam, v. C. Scott, Esq.; H. Wright, Esq., ditto of district of Jaffnapatam, v. J. G. Forbes, Esq.; H. Pennell, Esq., Collector of Trincomallee, v. C. Brownrigg, Esq.; J. Price, Esq., Provincial Judge of district of Batticaloa; J. Barnet, Esq., Agent of Government in Seven Korles, v. H. Wright, Esq.; J. Bone, Esq., Assist. to Collector of Colombo, and Sitting Magistrate at Negombo; R. Atherton, Esq., Superintendent of Stud, and Sitting Magistrate in Island of Delft, in room of E. Nolan, Esq., who retires.

## KING'S FORCES IN INDIA.

[From the Indian Gazettees.]

## APPOINTMENTS.

The following Officers are appointed to Staff situations in the army assembled at Agra:

11th Lt. Drag.—Brevet Col. Lieut. Col. Sleigh to be Brig. General; Lieut. Col. Childers to be Brigadier; Lieut. Williamson to be Major of Brigade; Lieut. Maxwell to be Aid-de-Camp to Brig. Gen. Sleigh.

16th (Queen's) Lancers.—Lieut. Col. Murray to be Brigadier; Capt. Harris to be Major of Brigade.

14th Foot.—Brevet Col. Lieut. Col. M'Comb to be Brig. Gen.; Brevet Col. Lieut. Col. Edwards to be Brig. Gen.; Capt. Hall to be Aid-de-Camp to Brig. Gen. Edwards; Brevet Capt. Finnane to be Aid-de-Camp to Brig. Gen. M'Combe; Lieut. M'Dermot to be Baggage Master; Lieut. Cain to be Major of Brigade.

59th Ditto.—Lieut. Col. M'Gregor to be Brigadier; Brevet Capt. Lieut. Carmichael, 59th Foot, is app. Aid-de-Camp to Major-Gen. Nicholls, from the 14th Nov.

Capt. Dawkins, Aid-de-Camp to the Commander-in-Chief, to be Dep. Post-Master Gen. in the Field; Cornet Blood, of the 16th Lancers, will take the command of the Consolidated Depôts of his Majesty's Regts. at Cawnpore, from the date of the corps leaving that Station.

[From the London Gazettees.]

4th Lt. Drags.—Capt. H. Master from half-pay, to be Capt., v. T. D. Burrows, who exch., receiving the difference; Cornet E. Harvey to be Lieut. by purch., v. Richardson, prom.

13th Lt. Drags.—Capt. T. P. Lang from the 8th Foot, to be Capt., v. Maitland, who exchanges.

2d Foot.—Lieut. G. C. Mundy to be Capt. by purch., v. Ford, prom.; Ens. S. N. Fisher to be Lieut. by ditto, v. Mundy; — Mac Mahon, Gent. to be Ens., v. Torrens, dec.; M. W. Lomax, Gent. to be ditto by purch. v. Fisher.

3d Ditto.—Lieut. E. W. R. Autrobas from half-pay, to be Lieut. (paying the diff.), v. Fleming, app. to 49th Foot; Ens. M. Collins, from half-pay, to be Ensign, v. C. T. Henry, who exch.; Quartm. T. Simpson, from 7th Foot, to be ditto, v. French, dec.

16th Ditto.—Ens. W. F. Hannagan, from half-pay, 76th Foot, to be Ens., v. J. M'Intosh, who exch.

41th Ditto.—Brevet Lieut. Col. F. S. Tidy to be Lieut. Col. v. Morrison, dec.

46th Ditto.—J. Lacy, Gent., to be Ens., v. Cumming, dec.

49th Ditto.—Lieut. J. Fleming, from 5th Foot, to be Lieut., v. W. H. Barker, who retires on half-pay, receiving the diff.; Lord W. Russell to be Ens. by purch., v. Keating, prom.

54th Ditto.—Lieut. J. Gray to be Capt., v. Grindlay, dec.; Ens. G. Holt to be Lieut., v. Considine, dec.; Ens. R. Dodd, from half-pay, 20th Foot, to be Ens., v. Holt.

83d Ditto.—Quartm. J. Stubbs to be Adj. with the rank of Ens., v. Swinburne, prom.

89th Ditto.—Lieut. T. W. Stroud, from half-pay, to be Lieut., v. Butler, whose app. has not taken place; Ens. J. Gray to be Lieut., v. Olpherts, dec.;

**I. J. Dewes, Gent., to be Ensign, v. La Roche, whose app. has not taken place; C. Lee, Gent., to be ditto, v. Gray.**

**Ceylon Regt.**—2d Lieut. T. W. Rogers to be 1st Lieut. by purch., v. Lord N. Montagu, prom.; J. Edwards, Gent., to be 2d Lieut. by purch. v. Rogers. **Cape Corps (Cavalry).**—J. F. Watson, Gent., to be Cornet by purch., v. Jargeant, prom.

**Allowed to dispose of their half-pay.**—Lieut. H. Green, 67th Foot; Capt. G. Price, 46th ditto; Capt. W. H. Burroughs, 69th ditto.

**MEDICAL PROMOTIONS.**

**2d Foot.**—Assist. Surg. D. Campbell to be Surgeon, v. Alexander, app. to be 6th Drags.; W. M. Wilkins, from the Ceylon Regt., to be Assist. Surg., v. Ralph, dec.

**6th Ditto.**—Assist. Surg. to the Forces P. Campbell to be Assist. Surg., v. Hood, whose app. has been cancelled.

**13th Ditto.**—Hospital Mate P. Brodie to be Assist. Surg., v. Henderson, prom. in 89th Foot.

**89th Ditto.**—Assist. Surg. J. Henderson, M.D., from 13th Foot, to be Surgeon, v. R. Daun, who retires upon half-pay.

**BIRTHS, MARRIAGES, AND DEATHS.**

**CALCUTTA.**

**Births.**—Dec. 18. Mrs. Churcher, the wife of Mr. H. Churcher, of the Hon. Company's Marine Service, of a son.—20. Mrs. J. W. Roberts, of a son.—21. Mrs. J. B. Cornelius, of a daughter; Mrs. P. M. David, of a daughter.—22. At the house of Lieut.-Col. Cunliffe, the lady of T. R. Davidson, Esq., of Baraset, of a daughter.

**Marriages.**—Dec. 3. Mr. D. Thomson, jun., Assistant in the Government Lithographic Press, and only son of D. Thomson, Esq., to Miss M. Farmer, of the Europ. Female Orphan Asylum.—15. At St. John's Cathedral, Capt. R. Thornhill, of the *David Scott*, to Miss C. E. Adams.—27. D. Butler, Esq., M.D., Assist.-Surg. H. C. Service, to Miss E. T. Morrison.—31. Capt. G. White, of the ship *Sherburne*, to Miss E. D. Adams.

**Deaths.**—Dec. 12. Cecilia, infant daughter of Mr. J. M. Hopkins, Assist. Board of Revenue.—14. W. Jackson, Esq., Attorney-at-Law, aged 24.—22. The infant daughter of Mr. B. Cornelius.

**MADRAS.**

**Births.**—Jan. 21, 1826. The lady of A. Johnstone, Esq., of a daughter; at Black Town, Mrs. J. McDonald, of a daughter.

**Marriages.**—Jan. 9, 1826. Mr. T. New to Miss H. Hartley, daughter of the late Mr. Conductor Mortimer.—13. At the Scotch Church, Mr. H. Kerr, to Miss F. Leary.

**BOMBAY.**

**Birth.**—Nov. 15. At Fort St. George, the lady of Lieut. O'Connell, Commis. of Ordnance, of a daughter.

**Marriage.**—Dec. 15. At St. Thomas's church, G. Forbes, Esq., to Matilda, second daughter of H. Willis, Esq., of Rufford, Essex.

**OUT STATIONS.**

**Births.**—Nov. 28. At Jaulnah, the lady of Capt. Wright, 40th N. I., of a daughter.—30. At Bankipore, the lady of Francis Hurd, Esq., of the Board of Revenue, in the Central Provinces, of a son.—Dec. 5. At Gorruckpore, the lady of the Rev. Mr. Wilkinson, of a son.—4. At Duhaghur, near Commercially, the lady of W. Greaves, Esq., of a son.—9. At Patna, the lady of G. King, Esq., Civil Surgeon, of a daughter.—24. At Palaveram, the lady of Capt. J. K. Godfrey, 1st N. I., of a daughter.—30. At Dinapore, the lady of Lieut. C. Barrowes, 45th N. I., of a son.—Jan. 1, 1826. At Palaveram, the lady of Capt. Dods, of a daughter.—12. At Nagapatam, the lady of Mr. J. M. Muhldorff, of a son.

**Marriages.**—Dec. 15. At Bareilly, H. S. Boulderson, Esq., C. S., to Amelia, eldest daughter of W. Cowel, Esq., C. S.—19. At Berhampore, Capt. C. D.

Wilkinson, 28th Regt. N. I., to Miss Beatty, only daughter of the late Francis Beatty, Esq., R. N.—Lately, at Jacatia, in Batavia, John Deans, Esq., merchant, to Margaret, second daughter of W. Hodges, Esq.—Jan. 9, 1826. At Mysore, Mr. W. King, of the Residency Office, to Miss A. J. Fermier, second daughter of Mr. J. W. Fermier, of the Revenue Board.

*Deaths.*—Nov. 7. On board H. M. Ship *Alligator*, off Rangoon, Capt. T. Alexander, R.N. C.B. commanding the Flotilla in the River Irrawaddy, and Capt. of H. M. Ship *Alligator*.—Dec. 6. At Chittagong, Julia, the daughter of Capt. James, 2d Grenadier Bat., aged 2 years and 6 months, and on the 8th Dec., Caroline, also the infant daughter of Capt. James, aged 1 year and 3 months.—9. While coming up from Saugor, Capt. D. Thomas, 10th Regt. N.I., and Superintendent of Cadets.—10. At Kurnaul, Mr. Michael Campbell, Overseer of the Delhi Canal, but formerly of the Commissariat Department in Spain and Flanders.—11. At Fultah Reach, on board the Ship *Lady Campbell*, Lieut. and Adj. M'Carthy, H.M. 47th Regt. who met with his death by a fall from one of the upper cabin ports.—12. At Meerut, Frances Maria Goad, daughter of the late M. T. Whish, Esq. of the Cl. Service, aged 4 years; At Chittagong, Capt. R. B. Fergusson, 63d N.I.—13. At Kamptee, Capt. J. Tagg, 48th M.N.I., aged 43 years.—14. At Cawnpore, Lieut. S. Boileau, 32d N.I.—15. At Hameerpore, Portnam Herbert, infant son of Lieut. Col. G. H. Gall, commanding 8th Regt. Bengal Lt. Cav.—21. At Belgaum, the infant son of Capt. J. Taylor, 4th Lt. Cav.—27. At Belgaum, Mr. J. Cunningham, Conductor of Ordnance.—28. At Bangalore, Assist.-Surgeon A. Ewart of the E.I.C. Service.—Jan. 1, 1826. At Cochin, G. Miles, Esq., of Surry, formerly a Capt. in the Travancore Service.—6. At Vizagapatam, Capt. T. Bennet, of the Carnatic Europ. Vet. Bat.

#### CEYLON.

*Birth.*—Nov. 20. At Colombo, the lady of Lieut.-Gen. Sir E. Barnes, of a daughter.

*Marriage.*—Nov. 26. At Trincomallee, Capt. R. Brown, H.M. 16th Inf. to Harriett, third daughter of the late Rev. J. Johnstone, Cross Michael, Scotland.

*Deaths.*—Nov. 8. At Colombo, Mr. P. J. Vanderstaaten, late a Proctor of the Hon. the Supreme Court of Judicature in the Island of Ceylon.—24. At Tillipally, Jaffna, the lady of the Rev. W. Woodward, American Missionary, aged 30 years.—30. At Colombo, Mr. J. J. Phillipsz, aged 29 years, third son of the late Rev. G. Phillipsz.

#### EUROPE.

*Births.*—April 26. At Sheerness, the lady of L. St. L. Carey, Esq., H.M. 67th Regt. of a son.—May 3. At Elchies, North Britain, the lady of Capt. C. M'G. Skinner, 1st Drag. Guards, of a daughter.—15. At his house in Grosvenor-place, the lady of Col. Eustace, of a son.—23. In Euston-square, the lady of Capt. Langslow, late of the Bengal Estab., of a daughter.

*Marriages.*—April 27. T. W. Rundall, Esq., late of the East India House, to Mrs. Haworth, of Red Lion Square.—24. At St. Mark's Church, Lambeth, Lieut. Chas. Farran, of the 14th Regt. N.I. Madras Army, to Miss Emily Spence.—27. At Greenock, James Boyd, Esq., Surg. Hon. E.I.C.'s Service, to Isabella, second daughter of J. Pringle, Esq., of Greenock.—May 13. At Dublin, Lieut. W. Fraser, Royal Artil., sixth son of the late Maj.-Gen. J. H. Fraser, to Grace Mary, eldest daughter of the late Major Baddeley, Superintendant of Barracks in Ireland.

*Deaths.*—April 12. At Liverpool, Lieut. L. Homer, of the 44th Regt. of Foot.—May 3. At Edinburgh, Lieut. R. Balderstone, 44th Bengal Native Inf., third son of the late W. Balderstone, W.S.—9. In George-street, Portman-sq., A. Russell, Esq., late Member of the Medical Board in Bengal; at Sidmouth, Capt. G. Allen, late of the Grenadier Regt. of Foot Guards.—14. At Abbotsford, Roxburghshire, the lady of Sir Walter Scott, Bart. She was the eldest daughter of John Carpentier, of the city of Lyons.—18. At Paris, the lady of Admiral Sir Sidney Smith.—22. At Bayswater, W. Evans, Esq., Superintendent of Baggage Department, East India House.

# **SHIPPING INTELLIGENCE.**

## **ARRIVALS FROM EASTERN PORTS.**

<i>Date.</i>	<i>Port of Arrival.</i>	<i>Ship's Name.</i>	<i>Commander.</i>	<i>Place of Depart.</i>	<i>Date.</i>
1826.					
April 27	Off Weymouth	Hythe ..	Wilson ..	China ..	Jan. 6, 1826
April 28	Off Liverpool	John Taylor ..	Atkinson ..	Bengal ..	Dec. 25, 1825
April 28	Off Dover ..	Borneo ..	Ross ..	Sumatra ..	Dec. 10, —
May 1	Downs ..	Lowther Castle	Baker ..	China ..	Jan. 16, 1826
May 1	Downs ..	Fort William	Neish ..	Bengal ..	Nov. 20, 1825
May 1	Chaunnel ..	Vansittart ..	Dalrymple	China ..	Jan. 6, 1826
May 3	Cowes ..	Margaret ..	Simpson ..	Batavia ..	Dec. 20, 1825
May 13	Off Weymouth	Mellish ..	Cole ..	Bengal ..	Dec. 28, —
May 13	Off Weymouth	Atlas ..	Hine ..	China ..	Dec. 28, —
May 13	Off Weymouth	Cambrian ..	Clarkson ..	Bombay ..	Jan. 3, 1826
May 15	Off the Start	Scauby Castle	Newall ..	China ..	Jan. 16, —
May 15	Off Falmouth	Woodlark ..	Horsley ..	Singapore	Dec. 6, 1825
May 18	Off Plymouth	Royal George	Reynolds ..	Bengal ..	Dec. 17, —
May 22	Portsmouth ..	Rotterdam ..	Waters ..	China ..	Dec. 14, —
May 22	Off Plymouth	Norden ..	Krecht ..	Bengal ..	Nov. —
May 23	Off Hastings	Childe Harold	West ..	Bengal ..	Jan. 2, 1826
May 23	Off Brighton	Woodford ..	Chapman ..	Bengal ..	Dec. 19, 1825
May 24	Portsmouth ..	Mary ..	Palu ..	Batavia ..	Jan. 13, 1826
May 25	Portsmouth ..	Minstrel ..	Arckoll ..	Batavia ..	Jan. 5, —
May 25	Off Folkeston	Africa ..	Skelton ..	Bengal ..	Dec. 3, 1825

## **ARRIVALS IN EASTERN PORTS.**

<i>Date.</i>	<i>Port of Arrival.</i>	<i>Ship's Name.</i>	<i>Commander.</i>	<i>Port of Depart.</i>
1825.				
Dec. 16	Batavia ..	William Parker ..	Brown ..	London
Dec. 20	Bombay ..	Alacrity ..	Finlay ..	London
1826.				
Jan. 2	Bombay ..	Lonach ..	Driscoll ..	N. S. Wales
Jan. 11	Madras ..	Lord Castleleigh	Hogg ..	China
Jan. 13	China ..	Charles Grant ..	Hay ..	Bengal
Jan. 15	Mauritius ..	John ..	Freeman ..	London
Jan. 19	Madras ..	Warren Hastings	Mason ..	Bengal
Feb. 21	Cape ..	Ganges ..	Boulton ..	London
Feb. 23	Cape ..	David Scott ..	Thornhill ..	Beng. & Madras
Mar. 11	St. Helena ..	Royal George ..	Reynolds ..	Bengal
Mar. 19	St. Helena ..	Lord Lowther ..	Stewart ..	London
Mar. 21	St. Helena ..	Nestor ..	Weakno ..	London
Mar. 21	Madras ..	Duke of Bedford	Tween ..	Portsmouth

## **DEPARTURES FROM EUROPE.**

<i>Date.</i>	<i>Port of Depart.</i>	<i>Ship's Name.</i>	<i>Commander.</i>	<i>Destination.</i>
1826.				
Apr. 28	Deal ..	Lady Holland ..	Snell ..	Madras and Bengal
Apr. 29	Deal ..	Gen. Harris ..	Stanton ..	China
Apr. 29	Deal ..	Mariner ..	Halsey ..	Cape
Apr. 30	Deal ..	Wm. Fairlie ..	Blair ..	China
Apr. 30	Deal ..	Canning ..	Broughton ..	China
May 2	Liverpool ..	Duke of Lancaster	Hannanay ..	Bengal
May 3	Deal ..	Orwell ..	Farrer ..	China
May 4	Deal ..	London ..	Sotheby ..	China
May 4	Deal ..	Emulous ..	Welbank ..	Cape and Bengal
May 6	Deal ..	Alexander ..	Richardson ..	Mauritius & Ceylon
May 6	Deal ..	City of Edinb. ..	Milne ..	Madras and Bengal
May 7	Deal ..	Penelope ..	Christie ..	Cape and Mauritius
May 8	Deal ..	Harriett ..	Wilson ..	Bengal

## Shipping Intelligence.

Date.	Port of Depart.	Ship's Name.	Commander.	Destination.
1826.				
May 12	Deal	.. Callista ..	Robertson	.. Cape
May 17	Deal	.. Prince Regent	Cosmer	.. Madras and Bengal
May 17	Deal	.. Boyue ..	Miller	.. Bombay
May 19	Deal	.. Recovery ..	Chapman	.. Bombay
May 21	Liverpool	.. Dorothy ..	Garnock	.. Bombay
May 22	Deal	.. Marchs.of Ely..	Maugles	.. Madras and Bengal
May 22	Deal	.. Rose ..	Marquis	.. Madras and Bengal
May 23	Deal	.. Abberton ..	Perceval	.. Madras and Bengal
May 24	Deal	.. Woodburne ..	Jackson	.. Cape
May 24	Deal	.. Morley ..	Halliday	.. Madras and Bengal
May 24	Deal	.. Lady Raffles ..	Coxwell	.. Madras and Bengal

## SHIPS SPOKEN WITH AT SEA.

Date.	Lat. and Long.	Ship's Name.	Commander.	P. of Depart.	Destination.
1825.					
Dec. 11	37 S.	12 W. Resource	.. Tomlin	.. London	.. Bengal
1826.					
Feb. 6	10 S.	10 E. Scaleby Castle	Newall	.. China	.. London
Feb. 6	10 S.	10 E. Buckinghamsh.	Glasspool	.. China	.. London
Mar. 9	33 S.	15 E. Dolphin	.. ———	.. China	.. London
Mar. 25	2 45 S.	15 W. Macqueen	.. Walker	.. London	.. Beng. & China
Mar. 30	7 N.	21 W. Rival	.. Wallace	.. London	.. Bengal
—	44 N.	12 W. Morro Castle	.. Smith	.. Liverpool	Bombay
Apr. 3	1 15 N.	19 12 W. Duch. of Atholl	Daniell	.. London	.. Beng. & China
Apr. 9	2 30 N.	20 W. Maiq. Huntly.	.. Fraser	.. London	.. Mad. & China

## GENERAL LIST OF PASSENGERS.

## PASSENGERS HOMEWARDS.

By the *Hythe*, from China:—Lieut.-Col. Johnson, Bengal N. I.; Capt. Chesney, Bengal Artill.; Mrs. Chesney and two children; Mrs. Joosey, from Penang; Mr. Edward Jacob, late second officer of the H. C. S. *Royal George*; Mr. Joseph Cole from St. Helena.

By the *Lowther Castle*, from China:—Mr. Samuel Ball, from China; George James Thompson, fourth officer of the late ship *Royal George*.

By the *Childe Harold*, West, from Bengal and Madras:—Brig.-Gen. Mackellar; Brig.-Gen. MacEvrnright; Lieut. Clarke, H. M.'s 54th Regt.; Lieut. Corte, do.; Lieut. Brown, H. M.'s 41st Regt.; Capt. Webster, H. C. S.; Mrs. Webster; Mrs. Watkins; Miss Watkins; W. Huddleston, Esq., H. C. S.; Lieut. Watson, do.; Lieut. Owen, do.; Mr. Chester, H. M.'s 13th Dragoons.

By the *Fort William*, from Bengal:—Mrs. Neish; Mrs. John Low and three children; Mrs. Peggs; Dr. Starks; Lieut.-Col. Gannon.

By the *Cambrian*, from Bombay:—Mesds. Flower, Boyd, Taylor, Jeffreys, Spry, Tate, and Richards; Miss Gelder; Mr. Morgau; Mr. R. Boyd; Mr. W. B. Anderson, Madras C. S.; Rev. Mr. Jeffreys; Mr. A. Bell; Major Spry, Madras N. I.; Capt. Manlett, do.; Capt. Tanner, Bombay Marine; Mr. Fulton, A. S.

By the *Woodlark*, from Singapore:—Mrs. Hayartye and four children; Mr. James Barry; Mrs. Barry and daughter, from St. Helena.

By the *Melish*, Cole, from Madras:—Lieut.-Gen. Bowser, late Commander-in-Chief at Madras; Mrs. Patullo; Mrs. Gen. Askeil; Capt. Campbell, 1st Cav.; Capt. Caldwell, H. M. 13th Regt.; Miss Spicer; Miss E. Patullo.

By the *Atlas*, Huic, from China:—His Excellency Lord Charles Somerset of the Cape; Lady Somerset; Miss Somerset; Master Paulet Somerset; Mr. Shaw, Bombay C. S.; Mr. Thompson, merchant at the Cape.

By the *Woodford*, Chapman, from Bengal and Madras:—Mesds. Hill, Clarke, Blair, Huddleston, Ray, Kemble, Bayley, Jones, three children, and Chambers; Mr. Chambers; Richard Clarke, Esq.; William Blair, Esq.; Col. Mackenzie; M. Strachan, Esq.; Rev. H. Chamber; Misses Hill and Clarke.

By the *Vancourt*, from China.—James T. N. Daniell, Esq.; Mrs. Daniell and child.

By the *Seabey Castle*, from China:—Capt. C. S. Timmins, late of the *Royal George*; Mr. Andrew Thompson, Surgeon, do.; Mr. W. Palmer, Purser, do.; Mr. Joseph Salter, free merchant; Lieut. John Edward, H. M.'s 31st Regt.

PASSENGERS OUTWARDS.

By the *Lady Raffles*, Coxwell, from Madras and Bengal:—Mrs. Col. Farran, Miss Farran, and Lt. Chas. and Mrs. Farran, Madras; Capt. and Mrs. McQueen, Madras Cav.; Lieut. Butler; Lieut. Walker, Madras Cav.; Misses Griffin; Misses Brown; Mrs. Turner; Miss Hughes; Messrs. Farran, Murray, Mar-  
n, Gotterell, Andrews, Morgan, Gardner, Jones, Lucas, Wilkinson, Holloways, Woodford, Gibson, and Hollings, Cadets.

By the *Lady Holland*, Snell, for Madras and Bengal:—Major Gummer; Mr. and Mrs. Foskit; Messrs. Lockhart, McKeuzie, and Lindsay; Capt. and Mrs. James, and servant; Messrs. Bowditch, Scaman, Bremner, Graham, Gordon, Hollis, Meln, Taylor, Wilder, Bishop, and Lyons; Mr. and Mrs. Paine; Mr. and Mrs. Smith; and Mr. and Mrs. Lilley.

By the *Alexander*, Richardson, for the Mauritius and Ceylon:—Mr. and Mrs. Melius; Miss Dick; Mr. and Mrs. Jones; Mr. and Mrs. Carnoufen; Lieut. and Mrs. Kingsley; Mr. and Mrs. Cummins; Mr. and Mrs. Novendon; Lieut. McQuintin; Mr. Robeson; Mrs. Horsford; Lieut. Woodford; Mr. Brough; J. Balam, Native of Madagascar; Lieut. Grant; Rev. Mr. Bailey; and Master Roger.

By the *Recovery*, Henry C. Chapman, for Bombay:—Lieut.-Col. Place Hall, 2d Regt. Foot; Lieut.-Col. Thomas Hill, H. M. 20th Regt.; Ensign Horne, 20th Regt.; Capt. Clarke Hill, 6th Regt. Foot; Mrs. Clark and infant; Capt. Goodfif, 20th Regt. Bombay Infantry, and Lady; Lieutenant Johnson, Bombay army; Lt. Jacob, Bombay Artillery; Mr. Mill, Bombay Bar; Mr. Blane, Civil Service; Messrs. Eckford, Hewitt, and Stuart, surgeons; Mr. Rowland and Lady; Messrs. Thomas, Morrison, Bellasia, and Elphinstone Falkney, Cadets.

By the *Prince Regent*, Capt. Cosmer:—Gen. and Mrs. Pine, and three daughters; Capt. and Mrs. Williams; Mrs. and Miss Gowan; Mrs. and Miss MacLeane; Misses Mumbee, White, Harriott, and Lys; Mrs. Mitchell; Capt. Gar-nault; S. Money, Esq., and S. Smith, Esq., Civil Service; Lieuts. Sheriff and Lys; Messrs. Hart, Duncan, and Ladd, Assist.-Surgs; Messrs. Whitlock, Lys, Vowel, O'Neil, Wallace, Daunev, MacLeane, Grove, MacNabb, Lang, Ken-  
neway, Maitland, Bryce, and Williams, Cadets.

By the *Providence*, Ardlie, Madras and Bengal:—Lieut.-Col. Rd. Podmore, 44th Regt. Madras N. I.; Capt. D. A. Fenning, 5th Regt. Madras Cav.; Captain E. L. Hebbage, 29th Regt. Madras N. I.; Lieut. J. C. Hawes, 2d Madras Euro-  
pean Regt.; Lieut. W. G. Leunox, 43d Bengal N. I.; D. B. Wardlaw, Esq., Surg. Bengal Establishment; Mrs. Col. Yates; Misses Yates; Mrs. Leunox and infant son; Mrs. Fenning; Mrs. Bleukinsop; Misses Thompson; Misses Cave; Messrs. Wilkinson and Studdart, free merchants, Bengal Establishment; Messrs. Col-  
ley, Burt, Care, and W. Cavé, European residents; Messrs. Blenkinsop, Pin-  
nock, Wollaston, Gray, Kenlock, Reddie, Lyons, Steele, Garrett, Hunter, Dun-  
more, Humphries, Mainwaring, Long, and Farian, Cadets.

SUPPLEMENTARY INTELLIGENCE.

SINCE our Summary of Indian news was made up, an overland despatch has arrived from Bombay, by which it appears that the Gordian knot of Central Indian politics had at last been cut, by the fall of Bhurtpore. This highly important and gratifying intelligence was received at the India House on the 26th ultimo, the despatch being dated the 4th of February, having therefore been nearly four months in the transit from Bombay. It reports that the fortress was carried by storm on the 18th of January, by the army under Lord Combermere, who has thus commenced his Indian career with an achievement which will raise his name very high among the warlike chiefs of Hindoostan. Doorjun Sall, the usurping Rajah, and his son, were taken prisoners; and the whole fortress, with its troops, ammunition, and property of every description, has fallen into the hands of the British Commander. The



citadel surrendered at discretion on the evening of the 18th, and the loss sustained by our troops has been rated, by rumour, at 500 men, with eight officers killed and wounded; but the official despatch is said to afford no details on the subject, having been sent off, it is supposed, before any accurate accounts of the loss could be collected. The despatch to the Court of Directors came by the way of Constantinople, whence it was transmitted. Mr. Cartwright, British Consul-General in that capital. It had been reported that Bulwunt Singh, the rightful heir of the throne, was to be put to death the moment an assault on the fort was made, and if so there will be further cause to lament that the Bengal Government slighted the advice of Sir David Ochterlony, whose prompt statesman-like measures would have saved all this effusion of blood.

No later intelligence could have been received by this despatch respecting the reported peace with the Burmese, than that received by the *Chitral* from Madras, in the end of January, as Bombay is a much more direct channel of communication.

The rumour which accompanied this despatch, that the peace with the Burmese had been ratified, is said to have been received through the channel of the British Resident in Persia; but it is not official, and probably, therefore, it is merely another version of the letter dated Patanagoh, quoted in the preceding pages. As that letter was dated the 3d of January, and Bhurtpore fell on the 16th of that month, while the despatch containing the news of the event is dated Bombay, February 4, it is evident no later intelligence could have arrived through that channel, across the whole Indian Peninsula from Burmah; and it is highly improbable that such intelligence could have reached us through Persia in any authentic form worthy of reliance.

#### COMMERCIAL INTELLIGENCE.

##### CALCUTTA.—JANUARY 11, 1826.

###### *Government Securities, &c.*

Buy.]	Rs. As.		Rs. As.	[Sel.
Premium	23 0	Remittable Loan 6 per cent.	24 0	Premium
Discount	2 0	Old 5 per Cent. Loan . . .	1 14	Discount
Ditto	1 0	New 5 per Cent. Loan . . .	1 0	Ditto.

###### BANK OF BENGAL RATES.

Discount on Private Bills . . . . .	6 0	per cent
Do. of Government Ditto . . . . .	5 8	
Interest on Loans on Deposit of Company's Paper for 2 months fixed . . . . .	6 0	

###### RATES OF EXCHANGE.

On London, 6 months sight, 2s. 1d. a 2s. 1d. per Sicca Rupee.	
Madras, 30 days, 98 S. R. per 100 Madras Rupees.	
Bombay, Ditto 98 S. R. per 100 Bombay ditto.	

##### MADRAS.—JANUARY 24.

###### *Government Securities, &c.*

Remittable . . . . .	26	Prem.
Old 5 do. do. . . . .	3	Disc.
New ditto . . . . .	2	Par

##### BOMBAY.—JANUARY 11, 1826.

On London, 6th months, 1s. 10d. to 1s. 11d.	
Calcutta, 90 days, 106 Bombay Rupees per 100 Sicca Rupees.	
Madras, 30 do. 98 Bombay Rupees per 100 Madras Rupees.	
A 5 per cent. loan open,	

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